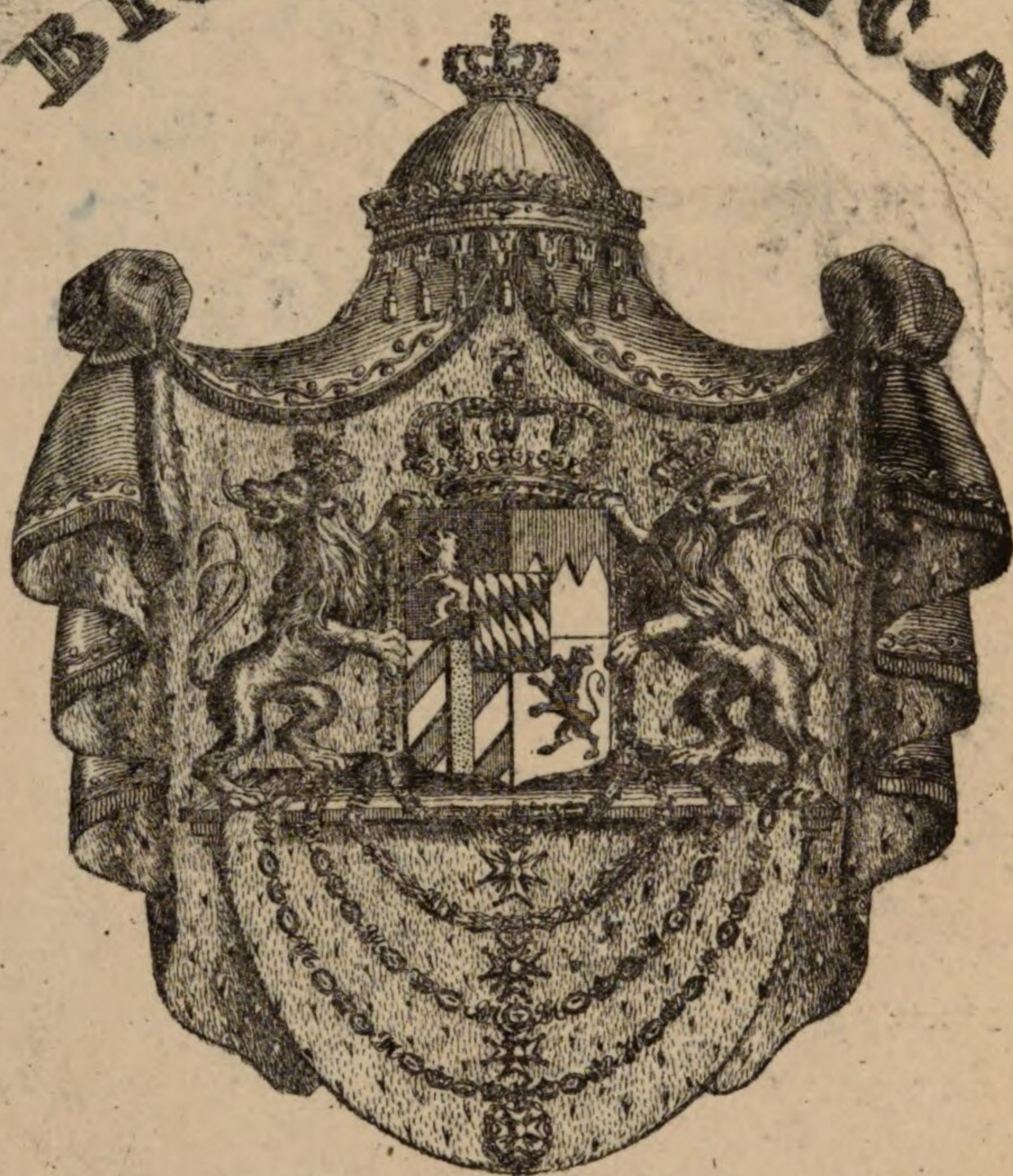


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THE
SPEECHES
OF
THE RIGHT HONOURABLE
WILLIAM PITT,
(G. Young.)
IN THE
HOUSE OF COMMONS.

QUANTO MAGIS ADMIRAREMINI, SI AUDISSETIS IPSUM!

CICERO.

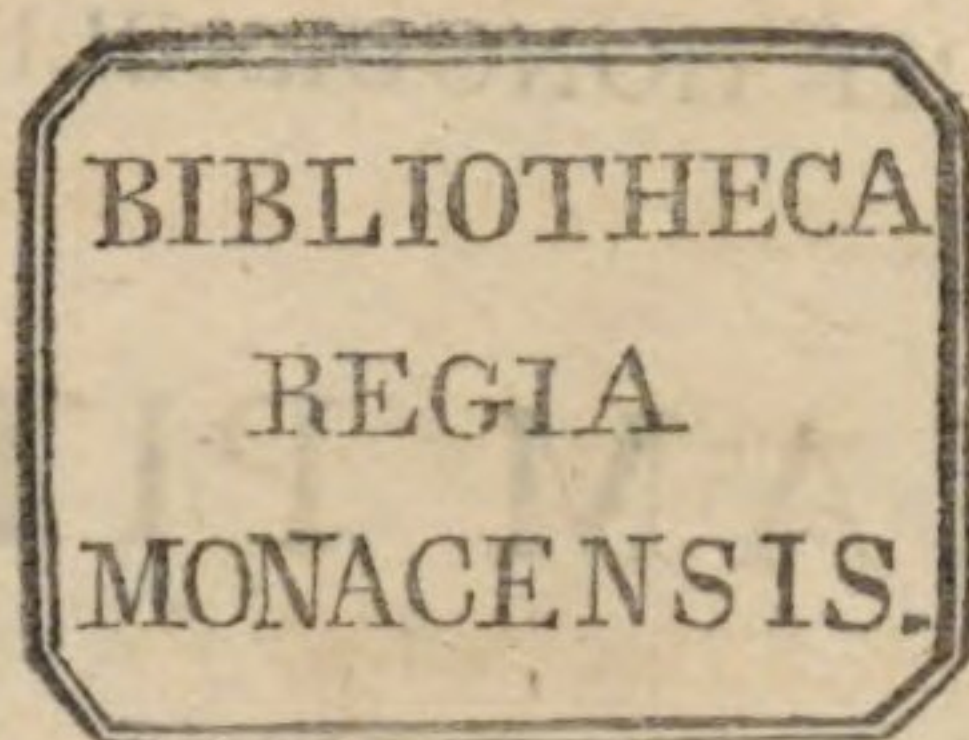
IN FOUR VOLUMES.

VOL. I.

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PATERNOSTER-ROW;
J. HATCHARD, PICCADILLY; AND BLACKS AND PARRY,
LEADENHALL-STREET.

1806.



1806

TO
THE RIGHT HONOURABLE
WILLIAM-WYNDHAM
LORD GRENVILLE,

FIRST LORD COMMISSIONER OF HIS MAJESTY'S TREASURY,

&c. &c. &c.

THESE SPECIMENS OF

ELOQUENCE,

FOUNDED ON THE BASIS OF PUBLIC VIRTUE,

AND ZEALOUSLY DISPLAYED IN MAINTAINING THE DIGNITY

AND PROMOTING THE INTERESTS

OF THE

BRITISH EMPIRE,

ARE

(WITH PERMISSION)

RESPECTFULLY INSCRIBED

BY HIS LORDSHIP'S MOST OBEDIENT

AND OBLIGED HUMBLE SERVANT,

W. S. HATHAWAY.

LONDON, November, 1806.

TO
THE RIGHT HONOURABLE
WILLIAM WYNDHAM
LORD CRENSHILL,

FIRST LORD COMMISSIONER OF HIS MAJESTY'S TREASURY,

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PRESENTED TO THE RIGHT HONOURABLE LORD

BY HIS LORDSHIP'S MOST OBEIENT

AND OBLIGED HUMBLE SERVANT,

James Cundee, Printer, London.

London: Printed by J. Cundee, 1800.

PREFACE.

IN presenting to the public the following collection of Mr. Pitt's Speeches, the Editor would persuade himself that little apology is necessary, either for the motives which induced him to undertake the work, or for the plan upon which it has been conducted. Animated by an ardent zeal and a lively veneration for the memory of Mr. Pitt, and anxious that every vestige of that illustrious statesman's parliamentary career should be recorded as faithfully as possible, he has aimed at accomplishing this object by all the means that diligent and persevering research could afford him.

From the journals of Debrett and Woodfall, and from other public reports of admitted authenticity, the work has principally derived its materials. These, however, have not been the only

channels, through which intelligence has been received. Other sources of more difficult access, but at the same time of more authoritative information, have been consulted, and have contributed very valuable assistance : and it has been by collating these various authorities, by detecting the misrepresentations of some through the avowed fidelity of others, by discarding errors where they could be ascertained, and supplying defects where the means of amendment were within reach, that a compilation has been formed, not inadequate, it is hoped, to the expectations of the public. Some few of the speeches that appear in this collection underwent the revision of Mr. Pitt himself; some were communicated by respectable members of the House of Commons from private notes in their own possession; and of the remainder, the greater part has been sanctioned by the testimony of those, whose frequent observation of the style and character of the speaker enabled them to determine the degree of accuracy with which the speeches were reported.

Whilst the Editor presumes to offer this explanation, as to the merits of the collection in general, he is sensible that some exceptions must be admitted. Instances will occasionally occur, in which his efforts will be found unsuccessful; where either the speeches are presented in an imperfect form, or where the report of them has been entirely lost.

This is a defect, for which no remedy could be discovered—which the utmost caution has not been able to prevent, nor the most assiduous industry to supply.

In regulating the size of the work, the importance of the matter has been always the first object in view; nor has the privilege of rejection ever been resorted to, but in cases where the nature of the subject seemed to warrant the omission. Few readers, it is imagined, will make it ground of complaint, that, on questions of comparatively inferior interest, on local and incidental topics, which in many instances were discussed rather in the form of desultory conversation than of serious debate, the speeches have not been inserted: and to those, whose curiosity upon points connected with finance may experience a disappointment in the exclusion of any of the budget-speeches, it may possibly afford some satisfaction to learn that the most celebrated of these have been retained—such as, though perhaps not superior to the others either in clearness of arrangement or precision of detail, exhibit matter more remarkable for novelty, and abound with a larger share of general information.

The prefatory and supplemental notes have been compressed and used as sparingly, as was found consistent with the necessary illustration of the subjects to which they refer.

With these introductory observations it was deemed expedient to prepare the reader, as to the nature and execution of the work before him. Of the exalted character, some portion of whose eloquence these pages have attempted to preserve, it is superfluous to speak. His talents, his patriotism, his virtues, are fresh in the memory of all; and his country will feel with long and deep regret its premature loss of them. “*Quidquid ex Agricola amavimus, quidquid mirati sumus, manet mansurumque est in animis hominum, in æternitate temporum, famâ rerum. Nam multos veterum velut inglorios et ignobiles oblivio obruet, Agricola posteritati narratus et traditus, superstes erit.*” (TACITUS in AGRIC.)

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MR. PITT'S

PARLIAMENTARY SPEECHES.

February 26, 1781.

THE house having proceeded to the order of the day on the second reading of Mr. Burke's bill for the better regulation of his Majesty's civil list revenue, and for abolishing several useless, expensive, and inconvenient places, and for applying the monies arising therefrom to the public service,

Mr. PITT rose on this occasion for the first time; and, in a speech in answer to matter that had fallen out in the course of the debate, displayed great and astonishing powers of eloquence. With a voice rich and harmonious; an easy and elegant manner; and language beautiful and luxuriant, he exhibited, in this first essay, a specimen of oratory worthy the son of the immortal Chatham.*

He said, that he gave the most hearty consent to what had fallen from his honourable friend on the other side of the house—that a proposition for the retrenchment of the civil list revenue ought to have come from his Majesty's ministers. He gave his entire approbation to this sentiment. It would have come with more grace; it would have come with more benefit to the public service, if it had sprung from the royal breast. His Majesty's ministers ought to have come forward and proposed a reduction in the civil list, to give the people the consolation of knowing

* Mr. Pitt entered parliament in his 22d year. He was born the 28th of May, 1759; and took his seat in the house of commons as representative for the borough of Appleby on the 23d of January, 1781.

The administration at this time consisted of

Lord North	} First Lord of the Treasury and Chancellor of the Exchequer.

that their sovereign participated in the sufferings of the empire, and presented an honourable example of retrenchment in an hour of general difficulty. They ought to have consulted the glory of their royal master, and have seated him in the hearts of his people, by abating from magnificence what was due to necessity. Instead of waiting for the slow request of a burthened people, they should have courted popularity by a voluntary surrender of useless revenue. Far more agreeable would it have been to that house to accede, than to propose; much more gracious to have observed the free exercise of royal bounty, than to make the appeal and point out what was right or what was necessary. But if ministers failed to do this; if they interfered between the benignity of the sovereign and the distresses of his people, and stopped the tide of royal sympathy; was that a reason why the house of commons, his Majesty's public counsellors, should desist from a measure so congenial to the paternal feelings of the sovereign, so applicable to the wants and miseries of the people?

Earl of Hillsborough	}	Secretaries of State.
(afterwards Marquis of Downshire)		
Lord Viscount Stormont		
(afterwards Earl of Mansfield)	}	(Colonies.)
Lord George Germain		
Lord Thurlow		Lord Chancellor.
Earl Bathurst		Lord President of the Council.
Earl of Dartmouth		Lord Privy Seal.
Lord Hyde	}	Chancellor of the Duchy of Lancaster.
(afterwards Earl of Clarendon)		
Earl of Sandwich		First Lord of the Admiralty.
Lord Viscount Townshend ..		Master-General of the Ordnance.
Charles Jenkinson, Esq.	}	Secretary at War.
(afterwards Earl of Liverpool)		
Right Hon. Richard Rigby ..		Paymaster-General of the Forces.
Welbore Ellis, Esq.	}	Treasurer of the Navy.
(afterwards Lord Mendip)		
James Wallace, Esq.		Attorney-General.
James Mansfield, Esq.		Solicitor-General.
Earl of Carlisle		Lord Lieutenant of Ireland.
William Eden, Esq.	}	Secretary to do.
(afterwards Lord Auckland)		

The natural beneficence of the royal heart would be gratified by the seasonable remittance. And surely it was no reason, because ministers failed to do their duty, that the house should cease to attend to theirs. Acting as the faithful representatives of the people, who had trusted them, they ought to seize on every object of equitable resource that presented itself; and surely none were so fair, so probable, or so flattering, as retrenchment and economy. The obligations of their character demanded from them not to hesitate in pursuing those objects, even to the foot of the throne; and, actuated by duty, to advise the crown to part with useless ostentation, that he might preserve necessary power; to abate a little of pomp, that he might ascertain respect; to diminish a little of exterior grandeur, that he might encrease and secure authentic dignity. Such advice would become them, as the counsellors of his Majesty, and as the representatives of the people; for it was their immediate duty, as the commons house of parliament, to guard the lives, the liberties, and the properties of the people. The last obligation was the strongest: it was more immediately incumbent upon them to guard the properties, because they were more liable to invasion by the secret and subtle attacks of influence, than either their lives or liberties.—It would not derogate from the real glory of the crown to accept of the advice. It would be no diminution of true grandeur to yield to the respectful petitions of the people. The tutelage of that house might be a hard term; but the guardianship of that house could not be disgraceful to a constitutional king. The abridgment of useless and unnecessary expense could be no abatement of royalty. Magnificence and grandeur were not inconsistent with retrenchment and economy, but, on the contrary, in a time of necessity and of common exertion, solid grandeur was dependent on the reduction of expense. And it was the general sentiment and observation of the house, that economy was at this time essentially necessary to national salvation. This had been the language of the noble lord* on the other side of the house, and he had declared, that, if the bill then before

* Lord Nugent.

the house had provided that all the monies to be derived from the reductions proposed were to be applied to the public service, he would have given his hearty concurrence in it, and would have become one of its warmest advocates. Here then he begged leave to join issue with the noble lord. He had said, that the savings were to be appropriated towards a fund for creating a provision for the royal family; and this clause he had found in the bill before them. He begged to inform the noble lord, that there was a clause in the bill which expressly stated that the monies arising from the reductions proposed should be directly applied to the public service. The only merit that he could claim in a competition with the noble lord was, that his eyes were somewhat younger than his, and he would read the clause to which he alluded. He here read the following clause:

“And it is hereby enacted by the authority aforesaid, that all salaries, lawful fees, perquisites, and profits whatsoever, belonging to all and every the offices by this act suppressed, shall cease and determine with the determination of the said offices severally, and be no longer paid; and that the commissioners of the treasury shall, within a reasonable time, make, or cause to be made up, an account of the salaries and fees now payable for or on account of the said offices severally, as also an account of all the charges whatsoever, ordinary or extraordinary, incurred for, or by reason of the said offices, during (a certain number) of years last past; and shall cause a sum, to the amount of a medium of the said salaries, fees, and charges, to be annually set apart, and a separate account to be kept of the same, and to carry the said sum or sums of money, together with the amount of each and every pension as it shall fall or determine, until the said pension-list be reduced to a sum to be limited by the act (except as in this act otherwise provided) to the *sinking fund*, there to remain for the disposition of parliament.” This was the clearest refutation of the noble lord’s assertion; but his error seemed to have arisen from his having taken notice of another clause in the act, which ordains that the monies appropriated to the payment of annuities to be granted

to those persons whose places were to be abolished, should be placed in a fund, as they should arise by the death of the annuitants, to create a provision for the royal family. This was the error of the noble lord; he had mistaken this provision for all the savings of the plan; unless indeed he imagined that to place money in the sinking fund, subject to the disposal of parliament, was not to apply it to the public service. He might consider the blind profusion of the minister as the public service; and unless it had been left to him to be mismanaged and squandered in his usual way, it was not applying it, in his opinion, to the public service. He trusted the house would excuse him for having wanted with their patience on this point; and he, for his own part, should think his time and labour very well repaid, if thereby he had been fortunate enough to gain over so powerful an assistant and friend as the noble lord to the principle of the bill.

It had been said by an honourable gentleman who spoke early in the debate, that the bill connected two objects that ought to have been kept separate. His honourable friend * near him had shewn that these objects ought to go hand in hand together; and had very properly contended that this was the fit moment for introducing reform and economy. He should add, that the bill had a third object, much more important than either of these, and that was, the reduction of the influence of the crown—that influence, which the last parliament, by an express resolution, had declared to be increasing, and that it ought to be diminished—an influence, which was more to be dreaded, because more secret in its attacks, and more concealed in its operations, than the power of prerogative. All these objects were not only compatible with each other, but they had a mutual connection, and ought not to be divided in a measure of reformation.

In all the arguments of the noble lord who spoke last, on the subject of the resolutions of the 6th of April, he observed the noble lord's objections were directed solely to the second of

* Mr. John Townshend.

these resolutions ; he took it for granted, therefore, that the noble lord admitted the first. That resolution pledged the house to do something effectual, in compliance with the petitions of the people. Why then should the house refuse to adopt the present bill, the operation of which, in diminishing the influence of the crown, rendered it, in his opinion, much more valuable than the mere consideration of the saving it would effect.

But it had been said, that the saving was immaterial—it was a matter of trifling consideration, when measured by the necessities, or the expenses of the time. It proposed to bring no more than 200,000*l.* a year into the public coffers ; and that sum was insignificant, in the public account, when compared with the millions which we spend. This was surely the most singular and unaccountable species of reasoning that was ever attempted in any assembly. The calamities of the crisis were too great to be benefited by economy ! Our expenses were so enormous, that it was ridiculous to attend to little matters of account ! We have spent so many millions, that thousands are beneath our consideration ! We were obliged to spend so much, that it was foolish to think of saving any ! This was the language of the day, and it was by such reasoning that the principle of the bill had been disputed.

Much argument had been brought to prove the impropriety, and the injustice, of resuming a parliamentary grant ; and it had been even said, that they had not a right to do so. It would be needless to attempt an answer to such a doctrine. It contained its refutation in its weakness. But it ought to be remembered, that the civil list revenue was granted by parliament to his Majesty for other purposes than those of personal gratification. It was granted to support the power and the interests of the empire, to maintain its grandeur, to pay the judges and the foreign ministers, to maintain justice and support respect ; to pay the great officers that were necessary to the lustre of the crown ; and it was proportioned to the dignity and the opulence of the people. It would be an ungracious task to investigate the great difference that there was between the wealth of the empire when

that revenue was granted, and the wealth at the present time. It would serve, however, to shew, that the sum of revenue which was necessary to the support of the common dignity of crown and people, at that time, ought now to be abated, as the necessities had increased. The people who granted that revenue, under the circumstances of the occasion, were justified in resuming a part of it, under the pressing demand of an altered situation. They clearly felt their right; but they exercised it with pain and regret. They approached the throne with bleeding hearts, afflicted at the necessity of applying for retrenchment of the royal gratifications; but the request was at once loyal and submissive. It was justified by policy, and his Majesty's compliance with the request was inculcated by prudence, as well as by affection.

He confessed, that when he considered the obligations of the house, he could not cherish the idea that they would dispute the principle of the bill before them. He could not believe it possible that the principle of economy would be condemned, or the means of accomplishing it abandoned. For his own part, he admitted the plan proposed. He felt himself, as a citizen of this country, and a member of that house, highly indebted to the honourable author of it; and as he considered it essential to the being, and the independence of his country, he would give it the most determined support.

On a division, the motion for the second reading was negatived,

Ayes 190

Noes 233

and the bill was then put off to that day six months.

May 31, 1781.

THE order of the day was read for going into a committee on the bill for paying into the exchequer the balances in the hands of public accountants. On the question for the speaker's leaving the chair,

Col. Barré moved "That it be an instruction to the committee, that they have power to make provision in the said bill for removing the commissioners

named by the said act, and for substituting other commissioners in their stead, who are members of the house of commons.

Lord North opposed Col. Barré's motion.

Mr. Pitt, in support of it, said,

It was so universally admitted, on general principles of theory, that the house could not constitutionally delegate any of its powers and privileges, that he wondered that any gentleman could hesitate upon a question of so important a nature, for a single moment; for what was the matter in dispute at present? no less than, whether that house should forego, and delegate into other hands, that most essential of all the various privileges with which it was invested by the constitution, the privilege of redressing the grievances, and alleviating the burthens of the people! The people had called upon them to examine into the expenses of the war, to see if they could find a system of reformation and economy; and if they could, to take care that it was immediately adopted, and closely adhered to for the future. This was a duty which, even undirected, they were bound to perform; but it was a duty which they not only had uniformly neglected to discharge, but were now going to appoint others to do for them. It was the peculiar duty of that house to watch, examine, and correct, the expenditure of the public money. He conceived the proposed delegation to be an absolute surrender of that most invaluable right with which they were invested by their constituents, and for which in particular they were appointed. What was it that gave the house of commons their importance in the legislature, their respect and their authority? What, but the power of the purse? Every branch of the legislature had something peculiar to distinguish and to characterize it; and that which at once gave the character and elevation of the commons house of parliament was, that they held the strings of the national purse, and were entrusted with the great important power, first of granting the money, and then of correcting the expenditure. To delegate this right, then, he considered as a violation of what gave them their chief consequence in the legislature; and what, above all other privileges, they could not

surrender nor delegate without a violent breach of the constitution.

The noble lord * seemed fully impressed with the importance of this commission : he admitted its proper execution to be essential for the public interest, and that the salvation of the state depended upon it, yet he called upon the constitutional guardians of the people to commit into the hands of others, a trust so unspeakably consequential, and be mere spectators of an enquiry which was to decide upon the fate of their country. The noble lord had said, that the present commissioners of accounts were merely to enquire, examine, and report, and that it was reserved for parliament to judge, to determine, and to act ; that the final deliberation was reserved to them, and they had the power to reject such measures, proposed by the commissioners, as they might deem inconsistent with the public welfare. How humiliating, how miserable a picture of parliamentary power was this ! So then, all the power of parliament, with respect to the alleviation of national burthens, the redress of grievances, the reform of expense, the economy, the system, the elucidation of office, was sunk into a disgraceful negative ! One positive power, indeed, an odious power, remained,—the power of taxing the people, whenever the noble lord thought proper ; the power of making them pay for the noble lord's wild schemes and lavish corruption. If any plan was formed and suggested, by which thousands might be saved, by which the expenditure might be simplified, the influence of the crown diminished, and the responsibility of ministers be more clearly established ; by which the engine of government might be relieved from that load of machinery which rendered its movements so slow, so intricate, and so confused ; then the house of commons possessed only the power of putting a negative upon every such proposition. The power of oppressing and burthening the people, therefore, was the only parliamentary power that remained positive and active, while the power of doing good, and of relieving the distresses of the subject, was merely negative. He had

* Lord North.

often heard that the crown had a constitutional power of putting a negative on the acts of the commons, but he had never before heard that the commons had the power to put a negative on the wishes of the people, when those wishes tended towards the establishment of a plan of reformation. He was almost going to say, he could hardly have imagined that the noble lord would have ventured to assert as much : perfectly sure he was that no man else would have dared to have suggested even an opinion that approached towards such a position. What then were the arguments on which the noble lord had rested the vindication of the house for such scandalous inattention to their business ?

The noble lord had talked a great deal of the experience of the present commissioners, and had said every thing in their praise that the most elaborate panegyrist could have uttered : he had collected their eulogy from all sides of the house, and had poured forth a profusion of compliments on their wonderful efforts, and the great and successful effects of their enquiry. Without designing to detract in the least from their real merit, it was perfectly fair, he conceived, to examine a little what were the mighty benefits deduced to the public from the acknowledged industry of these commissioners ? Theoretical principles, he was ready to admit, must sometimes be suffered to give way for the sake of practical advantages ; but then, the first ought never to be departed from, but in cases where there was almost a moral certainty that the second were within reach, and would be attained. In the present case, the commissioners had examined into, and stated in their reports, the amount of several balances in the hands of several public accountants ; in doing this, the noble lord would not, he trusted, venture to say that they had done any more than a commission, filled by members of that house, was competent to perform. In his opinion, nothing could be more degrading to parliament than such an idea ; for, by the nature of his duty, every representative of the people should be capable of examining how their money was expended. But were not many of them, in fact, versed in the business of public accounts ? In one of their reports, however, they had come a

little nearer to a compliance with the prayers of the people, and had gone so far as to point out, with great humility and great deference, an alteration that seemed to them likely to be attended with advantage to the people, by a more economical regulation of office. What did the noble lord in that case? He put a negative upon it, and that not by any parliamentary proceeding; he did not even allow them the exercise of that power of judging and of acting, of which he had said so much, but he took upon himself to negative the proposition of those commissioners of accounts, in whose praise he had been so lavish, and to tell parliament, that although the commissioners had pointed out the inconvenience, and even suggested a remedy, he did not mean to attend to the one, or adopt the other, because he had been told by a great board that the alteration proposed was impracticable. So that the noble lord had disregarded the report of the commissioners, a report delivered in upon oath, and having all the facts stated in it ascertained upon the oaths of a variety of witnesses, and had preferred the loose conversation of a public board; suffering them to become the unsworn witnesses in their own cause. He had not the smallest objection to the board of treasury's conferring with the navy board or any other; but it was a little extraordinary that the noble lord should have assigned it as a reason for not adopting the regulation proposed, and for not even giving parliament an opportunity of putting its own negative upon it, that he had been told it was impracticable by the very board likely to be affected by the alteration.

Such was the distressed situation of this country at present, that he was aware mere forms, and even those which were the most dear, most essential, and most valuable forms of parliament, must be foregone for the sake of immediate and essential public ease, satisfaction, and benefit; he, therefore, much as he disliked the idea of continuing the present commissioners, in preference to members of that house, so far differed from his honourable friends, that he was ready to vote for the present bill, even under the noble lord's limitation of it, provided that immediate ease, satisfaction, and benefit would result from it to

the public. But was this likely to be the case? Let the noble lord, and let the house remember, that it was on the noble lord's solemnly pledging himself, that the extraordinaries of the army should be submitted to the enquiry of the commissioners of accounts immediately, that the debate on that immense claim for the present year had been given up. If, therefore, the noble lord now went back from his promise; if he shifted the matter, and did not fulfil what he had pledged himself to perform, all the world must see that the noble lord had cheated and ensnared the house with false hopes; and hypocritically deluded them out of that full and scrupulous discussion, and enquiry into the extraordinaries of the army, which a subject of such great importance undoubtedly called for, and would have met with. But the noble lord having pretended that he himself was astonished at their enormous amount, and having pledged himself that the commissioners should be instructed to enquire into the cause of it immediately, the house had confidence in his promise, and dropped, or at least suspended, the investigation. What was it that had carried the noble lord through the present session, but the promise of the reformation which the commissioners of accounts were to effect? and what hopes were there of their doing any good under the present circumstances of the commission? The noble lord has said, the reason why he was not willing to accede to the proposition, to insert the word "immediately," moved in the preceding debate by his honourable friend, was this—because they had not yet gone through that ground of enquiry they had begun upon; a ground of enquiry extremely narrow of itself, and which he could not but suspect had been studiously laid down by the original bill, as the object to which the commissioners were first to direct their attention, whereby parliament and the people would be diverted and silenced. And here he must remark, that he verily believed on his credit, his honour, and his conscience, that the noble lord meant and designed, that the commissioners should spend their time in enquiring into trifles, without going into an examination of any great, extensive, and important object, the better to continue the deception,

and to carry on the hypocrisy and deceit that had already led that house into so many votes, disgraceful to themselves, and ruinous to the public.

The noble lord, Mr. Pitt observed, affecting more than common modesty, had spoken in the third person—"the noble lord, he was sure, if the commissioners were to be chosen from among the members of that house, would not wish to have the nomination of them." This was a singular remark from a minister who had named every one of the present commissioners; but, perhaps, it had some truth in it. Indeed, he would do the noble lord so much justice as to declare, that if his honourable friend's motion was carried, and it was agreed that the commissioners to act under the new bill were to be chosen from among the members of that house, by ballot, he did not believe the noble lord would interfere, and make up a list of names, who, on all occasions, were found among his followers. Such a measure would be too palpable, and too gross a mockery of all justice, and all fairness, for the noble lord to venture; it would be at the same time too shameful an avowal of influence for the noble lord's tools to submit to, pliant and accommodating as they were, and too gross even for the profligate impudence of his adherents to defend. The noble lord, therefore, might safely adopt the proposition, and might rest assured he would not be accused of having used the influence of his situation to procure a partial ballot.

The present commissioners were said to be experienced, because they had already executed some part of their business, and made very accurate reports; but it should be remembered, that the enquiry they had hitherto made, was of a nature quite different from that on which they were now to enter. As yet, they had only examined into the receipts of the exchequer, and other branches of public accounts, which were recommended to their attention by the board of treasury, as primary objects, when the commission was first instituted, and which were undoubtedly very simple; but those greater and more general objects of reformation, for which a commission of accounts was

first proposed, had not been touched upon. In every future branch of the business, therefore, they were entire novices, except in one article of the first class, that still remained to be examined; they had still to determine how much current cash should remain with the paymaster-general; but there was time enough for an enquiry of that kind before the expiration of the former act, and another report might still be received this session. In what, then, as to the grand objects of reformation, were those gentlemen better qualified for commissioners than members of that house? Not, surely, by their former habit of life! No one could respect their characters more than himself; but what were their former avocations? One was Sir Guy Carleton, an officer of distinguished merit; but military and numerical talents were not necessarily connected. Another, Mr. Pigot, was young in a profession to which he could not be thought an enemy, but he could not admit that it qualified gentlemen for a commission of this kind. Added to these, there were masters of chancery. In short, men of almost every description, but of that peculiar description which belonged to members of that house, viz. men accustomed to transacting national business.

Another argument used by the noble lord was this, that a delay having occurred in the initiation of this business, it would be again retarded by changing its conductors; for the delay had not arisen from any official neglect of the treasury: No, that was impossible; they could never think of obstructing an enquiry into national expenditures! But here his former answer would apply; the future subject of enquiry, differing essentially from the past, if preparation was necessary, it would be equally so to the old as to the new commissioners; for the former would of course deliver over to their successors all papers and articles of undigested evidence now in their possession.

The noble lord had admitted that it was true, Sir Guy Carleton and Mr. Pigot had desired to retire, and that for the reasons before stated; but that such were their good wishes, such their zeal to serve the public, from a consciousness of the good that had arisen, and of the greater degree of good that might arise

from the prosecution of their labours as commissioners, that they had determined to give up every personal consideration, and continue to act under the renewed commission. The plain English of this argument was, that Sir Guy Carleton had determined to have no more ill health; and that Mr. Pigot was determined to have no more business. For this, ridiculous and absurd as it was, was the only rational interpretation that could be put on the noble lord's words. Again, the noble lord had boasted greatly of the experience of the present commissioners; and had said, that no persons could be equally capable of discharging the duty of commissioners with those who had been tried, who had been found able, and who had given proof of their talents, their assiduity, and their integrity. He admitted that they were men able, industrious, and honest; that their reports were clear, and their attention indefatigable; but as to their superior abilities and assiduity, without his selecting any of those gentlemen whom he had the happiness to see round him, surely it would be no very difficult matter to find six gentlemen on either side of the house, to the full as able, as prompt, as industrious, and as honest, as the present commissioners of accounts had shewn themselves.

After a variety of particular arguments, all strongly applicable to what lord North had suggested, Mr. Pitt resumed his general argument, as well on the propriety and the necessity of reformation, as on the duty of the house to listen to the voice of the people, and do something more than follow the noble lord in every proposition he offered, let it be good or bad, solid or superficial, politic or impolitic. He earnestly conjured them to use their own eyes, and to consult their own understandings; to return to a sense of their duty to the people; to act like honest independent members of parliament; and no longer implicitly to pin their faith on the sleeve of a minister, whose sole object it was to deceive and mislead, just as best answered his purpose. He concluded with a pathetic exhortation to the noble lord, that he would at least give up this point, and shew the public that some substantial remedy was intended for their complicated mis-

fortunes. If this commission was properly constituted, there might still remain some hopes for the prosperity of this country; for, having once returned into the path of rectitude, they might go on progressively from one step of reformation to another. But, if the motion was rejected, and the old and vicious system of government thus in every point tenaciously adhered to, the freedom of the people and the independence of that house, must be buried in the same grave with the power, the opulence, and the glory of the empire.

Colonel Barré's motion was negatived,

Ayes 42

Noes 98

and the house then resolved itself into the committee.

June 12, 1781.

Mr. Fox having moved, that the house should resolve itself into a committee to consider of the American war; as a preparatory step to another resolution, declaring that immediate measures ought to be adopted for concluding peace with our American colonies,

MR. PITT said, that he was induced to rise from certain expressions that had fallen from a right honourable gentleman* on the floor, and another gentleman† on the other side of the house, respecting the ministerial and legislative conduct of a dear and most respected relation of his‡ with regard to the American war, and the progressive measures which had produced it. He thought it was his duty, as the son of that noble lord, and as a member of that house, to rise upon the occasion to correct the gentlemen who had spoken, and to prevent the house from going away under a persuasion that the conduct and sentiments of the noble lord were such as had been described. The silence of one so nearly connected and allied in blood and affection, might seem to countenance what had been so confidently, but erroneously, stated. There might be many gentlemen in the house

* Mr. Rigby.

† Mr. Adam.

‡ Lord Chatham.

who were well acquainted with the political opinions of that noble person. To them no refutation of the assertions of this night would be necessary ; but there might be some who were perfectly ignorant of them, or who, knowing them but imperfectly, might be deceived by misrepresentations, perhaps unintentionally made.

Actuated by these motives, he thought it incumbent to state his relation's opinion, as it appeared in his public conduct, and as it came further confirmed by private communication made to himself and the rest of his family. The noble person, whose name had been so often mentioned in the course of the evening, most heartily reprobated the American war in all its parts, as well on the principle on which it was taken up, as its progress, and the ultimate objects to which it pointed. He had expressed himself uniformly so on the subject, and, he was persuaded, never gave a vote or opinion in contradiction to those sentiments. Those who acted with him well know it ; there were many living testimonies of the truth of this assertion, and innumerable circumstances could be adduced, if further evidence were required.

The only opinion declared by him, which could have afforded the most distant colour for such an assertion, was, that he thought this country had a right to lay duties for the regulations of commerce, duties incidental to the extension of trade, calculated for the mutual benefit of both countries ; but not a single tax or duty of any kind for the purpose of raising a revenue in America, to be remitted home, and to be disposable by the British parliament. This, however, was but a speculative question, totally different and distinct from the doctrines which were productive of the war. Those, at least, which produced the riot at Boston, from whence it was acknowledged by every side of the house the war originated, did not come within the above description. They were taxes upon the import, laid on expressly by the British parliament, collected under its authority, and intended for the British treasury, and were not even pretended to hold out any advantage to both countries, but to one only ; nei-

ther were they directed to promote or extend the commerce of America, but merely to draw out of the pockets of the inhabitants of that country, certain sums of money for augmenting the revenue of this.

These were the true and genuine sentiments of the noble person alluded to. To assert, therefore, that, because he approved of one mode of conduct, which was not adopted, he approved of another system, which he had so frequently and openly reprobated, was a most extraordinary kind of logic indeed. But he could not think that those who argued in this manner, expected to bring home conviction to the breast of any man who had not before been made a convert to their opinions.

After thus explaining his noble father's principles and conduct, he proceeded to speak to the question. He said, some gentlemen had passed the highest eulogiums on the American war. Its justice was defended in the most warm and fervent manner indeed. A noble lord,* who spoke early, in the heat of his zeal had called it a holy war. For his part, though the honourable gentleman who made the motion, and some other gentlemen, had been more than once in the course of the debate severely reprehended for calling it a wicked and accursed war, he was persuaded, and would affirm, that it was a most accursed, wicked, barbarous, cruel, unnatural, unjust, and diabolical war! It was conceived in injustice; it was nurtured and brought forth in folly; its footsteps were marked with blood, slaughter, persecution, and devastation; in truth, every thing which went to constitute moral depravity and human turpitude were to be found in it. It was pregnant with misery of every kind. The mischiefs, however, recoiled on the unhappy people of this country, who were made the instruments by which the wicked purposes of its authors were effected. The nation was drained of its best blood, and of its vital resources of men and money. The expense of it was enormous, much beyond any former experience; and yet, what had the British nation received in return? Nothing but a series of ineffective victories, or severe defeats:—victories cele-

* Lord Westcote.

brated only by a temporary triumph over our brethren, whom we would trample down and destroy; which filled the land with mourning for the loss of dear and valuable relations, slain in the impious cause of enforcing unconditional submission, or with narratives of the glorious exertions of men struggling in the holy cause of liberty, though struggling under all the difficulties and disadvantages which are in general deemed the necessary concomitants of victory and success. Where was the Englishman, on reading the narratives of those bloody and well-fought contests, who could refrain from lamenting the loss of so much British blood spilt in such a cause? or from weeping, on whatever side victory might be declared? Add to this melancholy consideration, that on whichever side we looked, we could perceive nothing but our natural and powerful enemies, or lukewarm and faithless friends, rejoicing in our calamities, or meditating our ultimate downfall.

He said, he had taken the present opportunity of delivering his sentiments on the American war. There was not a point of view in which he considered it, there was not a feature which presented itself to his notice, but served the more and more to confirm him in the opinion he had early formed concerning its mischievous and destructive tendency; and he trusted the present opinion he had given would be received, as it was sincerely intended, as fully expressive of his principles, so far as they might be applicable, or seemed to bear a relation, to the American war, in all its future as well as former stages.

He made several detached observations on the grounds and motives on which the honourable gentleman* had supported his motion; but seemed chiefly to rest his arguments on the injustice of the war in its outset, the innumerable mischiefs it had already been productive of, and the still more fatal and disastrous events it might bring with it, if ministers or the nation should persevere in urging a war, which, whether successful or not, ought

* Mr. Fox.

not to be further pursued, because it was totally subversive of the true constitutional connection by which both countries were united.

The House rejected the proposition,

Ayes 99

Noes 172

November 28, 1781.

Mr. Percival reported from the committee appointed to draw up an address in answer to his Majesty's most gracious speech * in opening the session, that the committee had drawn up an address accordingly, which they had directed him to report to the house.

On a motion that leave be given to bring it up,

Mr. PITT said, that he rose to give vent to those sentiments of indignation, which, in the present disastrous situation of our affairs, he found it impossible for him to suppress. The duty he owed to his sovereign and his country would not permit him to remain in silence, when he saw ministers running headlong

* "*My Lords and Gentlemen,*

"When I last met you in parliament, I acquainted you with the arduous situation of public affairs at that time, and I represented to you the objects which I had in view, and the resolution with which I was determined to persevere in the defence of my dominions against the combined power of my enemies, until such a pacification could be made as might consist with the honour of my crown, and the permanent interest and security of my people. The war is still unhappily prolonged by that restless ambition which first excited our enemies to commence it, and which still continues to disappoint my earnest desire and diligent exertion to restore the public tranquillity: but I should not answer the trust committed to the sovereign of a free people, nor make a suitable return to my subjects for their constant, zealous, and affectionate attachment to my person, family, and government, if I consented to sacrifice either to my own desire of peace, or to their temporary ease and relief, those essential rights and permanent interests, upon the maintenance and preservation of which the future strength and security of this country must ever principally depend.

"The favourable appearance of our affairs in the East-Indies, and the safe and prosperous arrival of the numerous commercial fleets of my kingdoms,

into measures which could end only in the ruin of the state. His attachment to his sovereign and his family he would testify by holding to him a language which would shew him that he had been deceived by those to whom he looked for advice : his duty to his country he would discharge by endeavouring to prevent

must have given you satisfaction; but in the course of this year, my assiduous endeavours to guard the extensive dominions of my crown have not been attended with success equal to the justice and uprightness of my views ; and it is with great concern that I inform you, that the events of war have been very unfortunate to my arms in Virginia, having ended with the loss of my forces in that province.

“ No endeavours have been wanting on my part to extinguish that spirit of rebellion which our enemies have found means to foment and maintain in the colonies, and to restore to my deluded subjects in America that happy and prosperous condition which they formerly derived from a due obedience to the laws ; but the late misfortune in that quarter calls loudly for your firm concurrence and assistance, to frustrate the designs of our enemies, equally prejudicial to the real interests of America and to those of Great-Britain.

“ In the last session you made a considerable progress in your enquiries into the state and condition of our dominions and revenues in the East-Indies : you will, I am persuaded, resume the prosecution of that important deliberation with the same spirit and temper in which it was begun, and proceed with the same attention and anxiety to consider how those remote provinces may be held and governed with the greatest security and advantage to this country, and by what means the happiness of the native inhabitants may be best promoted.

“ *Gentlemen of the House of Commons,*

“ I will order the estimates for the ensuing year to be laid before you. I rely on your wisdom and public spirit for such supplies as the circumstances of our affairs shall be found to require. Among the many ill consequences which attend the continuation of the present war, I most sincerely regret the additional burthens which it must unavoidably bring upon my faithful subjects.

“ *My Lords and Gentlemen,*

“ In the prosecution of this great and important contest in which we are engaged, I retain a firm confidence in the protection of Divine Providence, and a perfect conviction of the justice of my cause ; and I have no doubt but that, by the concurrence and support of my parliament, by the valour of my fleets and armies, and by a vigorous, animated, and united exertion of the faculties and resources of my people, I shall be enabled to restore the blessing of a safe and honourable peace to all my dominions.”

parliament from precipitately voting an address which pledged the house in the most direct manner to prosecute the American war, and support the continuance of that fatal system which had led this country, step by step, to the most calamitous and disgraceful situation that ever a once flourishing and glorious empire could possibly be driven to!—a situation that threatened the final dissolution of the empire, if not prevented by timely, wise, and vigorous efforts. He implored the house to pause a moment, and consider what they were doing. The address then at the bar was couched in terms the most hypocritical and delusive, and if suffered, in a crisis so alarming and melancholy, to be published to the world as the real sentiments of the house of commons, it would be an additional misfortune, greater than any that had yet preceded it. It would at once deceive the king, prostitute the judgment of parliament, and degrade its dignity, insult the people, and superinduce consequences fatal to the very being and existence of the empire. It was an honest and a faithful line of conduct in them to warn both the monarch and the people of the dangers that were common to both. It was not the base and deceitful language of adulation which parliament should adopt; but that style and that manner which became a body of men equally attached to their sovereign and their constituents. He was unable to account for the confidence of ministers, in proposing an address which pledged parliament to measures, without vouchsafing to give that parliament any sketch or outline of those plans and measures which the house were called upon to sanctify: in the better days of parliament, such conduct would have been treated with the indignation which it deserved. They pretended to argue that the address did not pledge the house to the war with America. It was puerile to say so. He was desirous to force ministers to break through the supercilious silence in which those plans were veiled; or to silence the empty loquacity with which they endeavoured to argue men out of their senses.

He asked, if there was a man in the house, who, after the late disaster which had befallen this country, could trust the admi-

nistration of affairs in the hands of the present ministers? Gentlemen would recollect the supplies that had been voted; the means that had been devised and adopted; the powers that had been granted; and the use that had been made of them: that use was loudly proclaimed by the captivity of Lord Cornwallis and his army. Were gentlemen then disposed to trust still the management of a war to the care of men who had already made so bad a use of the confidence of parliament? Was the American war to have no end? And were the ministers, who, by all their measures, had only convinced the nation of the absurdity of carrying it on, to come to that house, and to propose an address which tied them down to prosecute the war; of the impropriety, absurdity, injustice, and ruinous tendency of which, every man in the house was convinced? What could make the American war an object so steadfastly to be adhered to? Was there any rational object in the pursuit? Certainly there was none. The real truth was, it was an appendage to the first lord of the treasury too dear to be parted with! It was the grand pillar, built on the ruins of the constitution, by which he held his situation; the great means of extending that baleful influence of the crown on which alone he placed all his security. But how could they expect that parliament would repose confidence in them, when they themselves had no bond of union between themselves? In his soul, he was satisfied, that if he were to go from one end of the treasury-bench to the other, and ask every man who sat on it, *if he could trust his neighbour?* they would all answer in the negative: and yet they expected that confidence from parliament which they had not in one another!

Ever since he had left the house, he spent his time in asking himself what arguments had been given strong enough to persuade the house to go on with this war? One of its avowed supporters, the noble lord in the blue ribbon,* speaking of the American war, had declared, that he ever had considered it, and still did consider it, as a war just and necessary, founded on the

* Lord North.

claim of a right that was undisputed. With regard to the grammatical or logical correctness of this reason, he would not institute an inquiry, nor would he now enter into an argument upon the justness of the war; that point having been sufficiently discussed for mankind to have made up their minds upon it. What the noble lord meant by necessity, if he meant any thing short of a physical necessity, he was at a loss to imagine. That an end could not be put to the war, if parliament should resolve on such a measure, was too absurd an idea to be maintained. The war had been proved by fatal experience to be fruitless, and every day that we persisted in it clearly tended rather to create new difficulties than smooth the path to peace and friendship. That the war was originally just and necessary was the only argument of one noble lord: let the house recollect, however, what had fallen from another noble lord,* whose situation rendered all that he said upon the subject peculiarly the object of attention. That noble lord had held a very different language. Without laying claim to that boldness of pride and ambition which alone could generate the hope of making America the victim of conquest, he had said all his hope rested on the more mild, lenient, and moderate expectation of the practicability of sending a sufficient force into the country, to enable the numerous friends of Great-Britain to get the better of the party that opposed them, and had possessed themselves of power. The noble lord had told them, that he never imagined America could be recovered by arms, but that the loyalists, who were much superior to the hostile, would be able, with their assistance, to effect all that could be wished for. In order to see the wisdom of this conceit, Mr. Pitt advised the house to look back to the events of the war, and especially to those of the last campaign, which were too recent, and of which every man's breast was too full, to render it necessary for him to undergo the anguish of describing them. Above all, he begged the house, if they wanted further proof of the power of protection which Great-Britain was warranted to hold out, to look at the articles of the capitulation of Lord Cornwallis, and

* Lord George Germaine.

to cast their eye upon the answer to the tenth article. They would there see, that all the friends of Great-Britain, all the loyalists, who had been treacherously deluded to join Lord Cornwallis, and deceived by false hopes and ill-founded promises, so far from being protected, were left to the civil justice of the country. What the civil justice of America was, it was utterly impossible for him to say ; but if the same treacherous system, that had long disgraced Great-Britain, was suffered to be persevered in, after what had happened, perhaps the civil justice of this country would soon overtake some men, who were undoubtedly much more proper objects of its operation than those unfortunate wretches, who, looking up to the British standard with that reverence and opinion of its influence, which, in better times it was wont to create, had foolishly sacrificed their lives and fortunes to the empty promises of an abandoned administration. He asked, where, under the dreadful pressure of national calamity, was a monarch of a free people to take refuge, and find resource, but in the honest, undisguised, and loyal councils of his subjects? Would fallacy administer comfort to the wounded mind? Would fraud support a falling state?

He concluded by protesting, that nothing but his duty to his sovereign and his country had actuated him to call upon ministers to give some information to the house. He had spoken from no private, personal motives ; his feelings and his views were public : he wished to be satisfied on the two points he had particularly mentioned—their intention with regard to the further prosecution of the American war, and some outline of the manner in which they intended to pursue it. On these two heads he called for, and expected, some explanation.

The motion for bringing up the address was agreed to,

Ayes 131

Noes 54

*May 7, 1782.**

The order of the day being read for taking into consideration the present state of the representation of the Commons of England,

Mr. Pitt rose, and prefaced his intended motion with an apology for undertaking a task so extensive, and which required abilities and experience so much greater than his; but having said this, he would trust to the indulgence of the house, and believe that the importance of the subject, to which he meant to call their attention, would induce them to treat it with the utmost seriousness and respect. The representation of the commons in parliament was a matter so truly interesting, that it had at all times excited the regard of men the most enlightened; and the defects which they had found in that representation had given them reason to apprehend the most alarming consequences

* In the month of March preceding, a new administration had been formed :

Marquis of Rockingham	....	First Lord of the Treasury.
Earl of Shelburne	.....	} Principal Secretaries of State. (The third secretaryship abolished.)
Hon. Charles James Fox	....	
Lord John Cavendish	.....	Chancellor of the Exchequer.
Admiral Keppel	.....	} First Lord of the Admiralty.
(created a Viscount)		
Duke of Grafton	.....	Lord Privy Seal.
Lord Camden	.....	President of the Council.
Duke of Richmond	.....	Master-General of the Ordnance.
Lord Thurlow	.....	To continue Chancellor.
General Conway	.....	Commander in Chief of the Forces.
John Dunning, Esq.	.....	} Chancellor of the Duchy of Lancaster, and created Baron Ashburton.

The above composed the Cabinet.

Hon. Thos. Townshend	....	Secretary at War.
Colonel Barré	.....	Treasurer of the Navy.
Edmund Burke, Esq.	.....	Paymaster-General of the Forces.
Lloyd Kenyon, Esq.	.....	} Attorney-General.
(afterwards Lord Kenyon)		
John Lee, Esq.	.....	Solicitor-General.
Duke of Portland	.....	Lord Lieutenant of Ireland.
Hon. Richard Fitzpatrick	--	Secretary to do.

to the constitution. It would be needless for him, in the present moment, to recall to the memory of the house the many occasions, upon which he and others, in an anxious struggle with a minister, who laboured to exert the corrupt influence of the crown in support of an inadequate representation of the people, maintained the necessity that there was for a calm revision of the principles of the constitution, and a moderate reform of such defects as had imperceptibly and gradually stole in to deface, and which threatened at last totally to destroy, the most beautiful fabric of government in the world. Upon these occasions, they were unsuccessful in their efforts, on account of that corrupt influence of which he had spoken; but at last, he thanked God, the voice of the people had happily prevailed, and we were now blessed with a ministry, whose wishes went along with those of the people, for a moderate reform of the errors which had intruded themselves into the constitution; and he was happy to see that there was a spirit of unanimity prevalent in every part of the kingdom, and also in every part of that house, which made the present day the fittest for undertaking this great task. The ministers had declared their virtuous resolution of supporting the king's government by means more honourable, as well as more permanent, than corruption; and the nation had confidence in the declarations of men who had so invariably proved themselves the friends of freedom, and the animated supporters of an equal and fair system of representation. That the frame of our constitution had undergone material alterations, by which the commons' house of parliament had received an improper and dangerous bias, and by which, indeed, it had fallen so greatly from that direction and effect which it was intended, and ought, to have in the constitution, he believed it would be idle for him to attempt to prove. It was a fact so plain and palpable, that every man's reason, if not his experience, must point it out to him. He had only to examine the quality and nature of that branch of the constitution as originally established, and compare it with its present state and condition. That beautiful frame of government, which had made us the envy and admiration of mankind,

in which the people were entitled to hold so distinguished a share, was so far dwindled and departed from its original purity, as that the representatives ceased, in a great degree, to be connected with the people. It was the essence of the constitution, that the people had a share in the government by the means of representation; and its excellence and permanency was calculated to consist in this representation, having been designed to be equal, easy, practicable, and complete. When it ceased to be so; when the representative ceased to have connection with the constituent, and was either dependent on the crown or the aristocracy, there was a defect in the frame of representation, and it was not innovation, but recovery of constitution, to repair it.

He would not, in the present instance, call to their view, or endeavour to discuss the question, whether this species of reform, or that; whether this suggestion, or that, was the best; and which would most completely tally and square with the original frame of the constitution;—it was simply his purpose to move for the institution of an inquiry, composed of such men as the house should, in their wisdom, select as the most proper and the best qualified for investigating this subject, and making a report to the house of the best means of carrying into execution a moderate and substantial reform of the representation of the people. Though he would not press upon their consideration any proposition whatever, he should still think it his duty to state some facts and circumstances, which, in his idea, made this object of reform essentially requisite. He believed, however, that even this was unnecessary, for there was not a gentleman in the house who would not acknowledge, with him, that the representation, as it now stood, was incomplete. It was perfectly understood, that there were some boroughs absolutely governed by the treasury, and others totally possessed by them. It required no experience to say that such boroughs had no one quality of representation in them; they had no share nor substance in the general interests of the country; and they had in fact no stake for which to appoint their guardians in the popular assembly. The influence of the treasury in some boroughs was

contested, not by the electors of these boroughs, but by some one or other powerful man, who assumed or pretended to an hereditary property of what ought only to be the rights and privileges of the electors. The interests of the treasury were considered as well as the interests of the great man, the lord or the commoner who had connection with the borough; but the interests of the people, the rights of the electors, were the only things that never were attended to, nor taken into the account. Would any man say that, in this case, there was the most distant idea or principle of representation? There were other boroughs which had now in fact no actual existence, but in the return of members to the house. They had no existence in property, in population, in trade, in weight. There were hardly any men in the borough who had a right to vote; and they were the slaves and subjects of a person who claimed the property of the borough, and who in fact made the return. This also was no representation, nor any thing like it. Another set of boroughs and towns, in the lofty possession of English freedom, claimed to themselves the right of bringing their votes to market. They had no other market, no other property and no other stake in the country, than the property and price which they procured for their votes. Such boroughs were the most dangerous of all others. So far from consulting the interests of their country in the choice which they made, they held out their borough to the best purchaser, and, in fact, they belonged more to the Nabob of Arcot than they did to the people of Great-Britain. They were cities and boroughs more within the jurisdiction of the Carnatic than the limits of the empire of Great-Britain; and it was a fact pretty well known, and generally understood, that the Nabob of Arcot had no less than seven or eight members in that house. Such boroughs, then, were sources of corruption; they gave rise to an inundation of corrupt wealth, and corrupt members, who had no regard nor connection, either for or with the people of this kingdom. It had always been considered, in all nations, as the greatest source of danger to a kingdom, when a foreign influence was suffered to creep into the national councils. The fact was clear,

that the influence of the nabobs of India was great: why then might not their imaginations point out to them another most probable circumstance that might occur, the danger of which would be evident, as soon as mentioned—Might not a foreign state in enmity with this country, by means of these boroughs, procure a party of men to act for them under the mask and character of members of that house? Such a cabal was more to be dreaded than any other; and this, among other domestic evils, was to be apprehended from the present incomplete and improper frame of representation. How many other circumstances were there, under which the various description of boroughs in this kingdom were influenced, and seduced from their real and direct duty?

Having mentioned these facts, by which experience came in aid of reason, to convince him of the inadequacy of representation, he conceived it would be perfectly needless for him to enter into any argument to prove the necessity that there was for a reform in this particular. He was convinced that every gentleman would acknowledge the truth of the fact, however they might differ about the means of accomplishing it; or about the delicacy with which they ought to meddle in any shape with the constitution. He begged leave to say, that there was not a man in that house who had more reverence for the constitution, and more respect, even for its vestiges, than himself.—But he was afraid that the reverence and the enthusiasm which Englishmen entertained for the constitution, would, if not suddenly prevented, be the means of destroying it; for such was their enthusiasm, that they would not even remove its defects, for fear of touching its beauty. He admired the one so much, so great was his reverence for the beauties of that constitution, that he wished to remove those defects, as he clearly perceived that they were defects which altered the radical principles of the constitution, and it would not be innovation, as he had said, but recovery of constitution, to remove them: gentlemen were ready to acknowledge the truth of this, but they stopped, from the difficulty of accomplishing the necessary reform. Many propositions had been

made from different quarters, towards this great national object. In particular it had been said, that the purity and independence of parliament would be the most easily accomplished, and the most effectually, by annihilating the corrupt influence of the crown. This he was ready to acknowledge as a great and powerful means of restoring independence and respect to parliament, and he was happy to see, that under the present ministry the corrupt influence of the crown would not be exerted. It might therefore with truth be said, that now the injurious, corrupt, and baneful influence of the crown was no more. Its effect would not be felt during the ministry of a set of men who were the friends of constitutional freedom. But it was the duty of parliament to provide for the future, and to take care that in no time this secret and dark system should be revived, to contaminate the fair and honourable fabric of our government. This influence was of the most pernicious kind; and at all times had been pointed to as the fertile source of all our miseries. It had been substituted in the room of wisdom, of activity, of exertion, and of success. It was but too naturally connected with the extensive limits of our empire, and with the broad and great scale upon which its operations were conducted. It had been truly said of this corrupt influence, "That it had grown with our growth, and strengthened with our strength." Unhappily, however, for this country, it had not decayed with our decay, nor diminished with our decrease. It bore no sympathy nor connection with our falling state; but, notwithstanding the mad impolicy of a ministry who had contracted the limits of the empire, this corrupt influence was still found to exist in all its strength, and had supported that ministry for a length of years, against all the consequences of a mischievous system, and a desolated empire. He thanked Heaven that we had now an administration who placed their dependence on a more honourable basis, and who conceived nothing to be more necessary or essential to the permanent interests of their country, than the total overthrow and extinction of this influence.

It had been thought by some, that the best means of effecting

a more near relation between the representatives and the people, was to take from the decayed and corrupt boroughs a part of their members, and add them to those places which had more interest and stake in the country. Another mode of making the connection between the representative and constitution more lively and intimate, was to bring the former more frequently before the electors, by shortening the duration of parliament. But all these propositions he would beg leave, for the present, to omit entirely, and to deliver the matter to the committee to be chosen, free from all suggestions whatever, that they might exercise their own judgment, and collect, from the lights which they would receive, full and complete information on the subject. He would therefore content himself with saying, that having mentioned the manner in which he would take the liberty of proposing to institute this enquiry, he hoped that he should be forgiven for undertaking this important business. The matter of complaint was clear to him; and he was strengthened in his opinion from the advice of some of the first and greatest characters in the kingdom. The assistance which he had received, he acknowledged with gratitude, as it fortified his mind in regard to the opinions which he had formed on the subject. It was also the opinion of many respectable characters, now no more, and particularly of one,* of whom every member in the house could speak with more freedom than himself. That person was not apt to indulge vague and chimerical speculations, inconsistent with practice and expediency. He personally knew that it was the opinion of this person, that without recurring to first principles in this respect, and establishing a more solid and equal representation of the people, by which the proper constitutional connection should be revived, this nation, with the best capacities for grandeur and happiness of any on the face of the earth, must be confounded with the mass of those whose liberties were lost in the corruption of the people. With regard to the time at which he had brought it on, he was convinced that it was the

* Lord Chatham.

most proper and seasonable moment that could be imagined. If it had been brought forward during an eager opposition to the measures of government, it might have been considered as the object of spight or peevishness; and if, under such circumstances, they had prevailed, it would have been said to be carried by assault. But now there was no division of sentiment. His Majesty's ministers respected the voice of the people, and were anxiously bent on the reformation of parliament. If there was any division of opinion at all, it was about the means of accomplishing the object. He concluded with moving, "That a committee be appointed to enquire into the state of the representation in parliament, and to report to the house their observations thereon."

The motion was rejected; the house dividing on the question, as moved by Sir Horace Mann, "That the other order of the day be now read,"

Ayes 161

Noes 141

*December 5, 1782.**

THE session was this day opened with a most gracious speech† from the throne. The address being moved, which, as usual, was an echo to the speech,

Mr. PITT, in reply to gentlemen who had preceded him in the debate, declared,

That there were several things unfortunate in his situation on that day, but the calamity under which he chiefly laboured was his youth; a calamity which he could not sufficiently lament, as it had been made the subject of animadversion on the other side of

* The death of the Marquis of Rockingham, which happened on the 1st of July in this year, was succeeded by an immediate change in the administration. On the 10th of July new writs were issued in the house of commons for such members as had accepted places, and the arrangements were thus completed,

Earl of Shelburne First Lord of the Treasury.

Hon. William Pitt Chancellor of the Exchequer.

Lord Grantham } Principal Secretaries of State.
Thos. Townshend, Esq. }

the house. His youth, he allowed, was very exceptionable to that situation; yet he trusted the system of his conduct, and his

Lord Thurlow	Lord Chancellor.
Lord Keppel	First Lord of the Admiralty.
Lord Camden	President of the Council.
Duke of Grafton	Lord Privy Seal.
Duke of Richmond	Master-General of the Ordnance.
Lord Ashburton	Chancellor of the Duchy of Lancaster.
Sir George Yonge	Secretary at War.
Henry Dundas, Esq.	} Treasurer of the Navy.
(afterwards Lord Melville)	
Colonel Barré	Paymaster of the Forces.
Lloyd Kenyon, Esq.	} Attorney-General.
(afterwards Lord Kenyon)	
John Lee, Esq.	Solicitor-General.
Earl Temple	Lord Lieutenant of Ireland.
Hon. Wm. Wyndham Grenville	} Secretary to do.
(afterwards Lord Grenville)	

† “ *My Lords and Gentlemen,*

“ Since the close of the last session, I have employed my whole time in the care and attention which the important and critical conjuncture of public affairs required of me.

“ I lost no time in giving the necessary orders to prohibit the further prosecution of offensive war upon the continent of North America. Adopting, as my inclination will always lead me to do, with decision and effect, whatever I collect to be the sense of my parliament and my people, I have pointed all my views and measures, as well in Europe as in North America, to an entire and cordial reconciliation with those colonies.

“ Finding it indispensable to the attainment of this object, I did not hesitate to go the full length of the powers vested in me, and offered to declare them free and independent states, by an article to be inserted in the treaty of peace. Provisional articles are agreed upon, to take effect whenever terms of peace shall be finally settled with the court of France.

“ In thus admitting their separation from the crown of these kingdoms, I have sacrificed every consideration of my own to the wishes and opinions of my people. I make it my humble and earnest prayer to Almighty God, that Great Britain may not feel the evils which might result from so great a dismemberment of the empire; and, that America may be free from those calamities which have formerly proved in the mother country how essential monarchy is to the enjoyment of constitutional liberty.—Religion—language—interest—affections, may, and I hope will yet prove a bond of permanent

strict discharge of the duties of his high office, would in a great measure do away what he felt himself to be an objection, but

union between the two countries : to this end, neither attention nor disposition shall be wanting on my part.

“While I have carefully abstained from all offensive operations against America, I have directed my whole force by land and sea against the other powers at war, with as much vigour, as the situation of that force, at the commencement of the campaign, would permit. I trust that you feel the advantages resulting from the safety of the great branches of our trade. You must have seen with pride and satisfaction the gallant defence of the governor and the garrison of Gibraltar ; and my fleet, after having effected the object of their destination, offering battle to the combined force of France and Spain on their own coasts ; those of my kingdoms have remained at the same time perfectly secure, and your domestic tranquillity uninterrupted. This respectable state, under the blessing of God, I attribute to the entire confidence which subsists between me and my people, and to the readiness which has been shewn by my subjects in my city of London, and in other parts of my kingdom, to stand forth in the general defence. Some proofs have lately been given of public spirit in private men, which would do honour to any age, and any country.

“Having manifested to the whole world, by the most lasting examples, the signal spirit and bravery of my people, I conceived it a moment not unbecoming my dignity, and thought it a regard due to the lives and fortunes of such brave and gallant subjects, to shew myself ready on my part, to embrace fair and honourable terms of accommodation with all the powers at war.

“I have the satisfaction to acquaint you, that negociations to this effect are considerably advanced, the result of which, as soon as they are brought to a conclusion, shall be immediately communicated to you.

“I have every reason to hope and believe, that I shall have it in my power in a very short time to acquaint you, that they have ended in terms of pacification, which, I trust, you will see just cause to approve. I rely, however, with perfect confidence on the wisdom of my parliament, and the spirit of my people, that if any unforeseen change in the dispositions of the belligerent powers should frustrate my confident expectations, they will approve of the preparations I have thought it advisable to make, and be ready to second the most vigorous efforts in the further prosecution of the war.

“Gentlemen of the House of Commons,

“I have endeavoured, by every measure in my power, to diminish the burthens of my people. I lost no time in taking the most decided measures for introducing a better economy into the expenditure of the army.

“I have carried into strict execution the several reductions in my civil list expences, directed by an act of the last sessions. I have introduced a further

which at the same time he pledged himself would be as amply as possible provided for, by his care, industry, and assiduity, and reform into other departments, and suppressed several sinecure places in them. I have, by this means, so regulated my establishments, that my expence shall not in future exceed my income.

“ I have ordered the estimate of the civil list debt, laid before you last session, to be completed. The debt proving greater than could be then correctly stated, and the proposed reduction not immediately taking place, I trust you will provide for the deficiency, securing, as before, the repayment out of my annual income.

“ I have ordered enquiry to be made into the application of the sum voted in support of the American sufferers; and I trust that you will agree with me, that a due and generous attention ought to be shewn to those who have relinquished their properties or professions from motives of loyalty to me, or attachment to the mother country.

“ As it may be necessary to give stability to some regulations by act of parliament, I have ordered accounts of the several establishments, incidental expences, fees, and other emoluments of office to be laid before you. Regulations have already taken place in some, which it is my intention to extend to all, and which, besides expediting all public business, must produce a very considerable saving, without taking from that ample encouragement which ought to be held forth to talents, diligence, and integrity, wherever they are to be found.

“ I have directed an enquiry to be made into whatever regards the landed revenue of my crown, as well as the management of my woods and forests, that both may be made as beneficial as possible, and that the latter may furnish a certain resource for supplying the navy, our great national bulwark, with its first material.

“ I have directed an investigation into the department of the mint, that the purity of the coin, of so much importance to commerce, may be always adhered to; that by rendering the difficulty of counterfeiting greater, the lives of numbers may be saved, and every needless expence in it suppressed.

“ I must recommend to you an immediate attention to the great objects of the public receipts and expenditure, and above all, to the state of the public debt. Notwithstanding the great increase of it during the war, it is to be hoped that such regulations may be still established, such savings made, and future loans so conducted, as to promote the means of its gradual redemption by a fixed course of payment. I must, with particular earnestness, distinguish for your serious consideration, that part of the debt which consists of navy, ordnance, and victualling bills: the enormous discount upon some of these bills shews this mode of payment to be a most ruinous expedient.

a faithful observance of the real good and interests of his country, which should ever hold the first place in his contemplation.

So little objection had been made to the address proposed to

“ I have ordered the several estimates, made up as correctly as the present practice admits, to be laid before you. I hope that such further corrections as may be necessary, will be made before the next year. It is my desire that you should be apprised of every expence before it is incurred, as far as the nature of each service can possibly admit. Matters of accounts can never be made too public.

“ *My Lords and Gentlemen,*

“ The scarcity, and consequent high price of corn, requires your instant interposition.

“ The great excess to which the crimes of theft and robbery, in many instances accompanied with personal violence, particularly in the neighbourhood of this metropolis, has called of late for a strict and severe execution of the laws. It were much to be wished that these crimes could be prevented in their infancy, by correcting the vices become prevalent in a most alarming degree.

“ The liberal principles adopted by you, concerning the rights and the commerce of Ireland, have done you the highest honour, and will, I trust, ensure that harmony, which ought always to subsist between the two kingdoms. I am persuaded, that a general increase of commerce throughout the empire, will prove the wisdom of your measures with regard to that object. I would recommend to you a revision of our whole trading system upon the same comprehensive principles, with a view to its utmost possible extension.

“ The regulation of a vast territory in Asia opens a large field for your wisdom, prudence, and foresight. I trust that you will be able to frame some fundamental laws, which may make their connection with Great Britain a blessing to India; and that you will take therein proper measures to give all foreign nations, in matters of foreign commerce, an entire and perfect confidence in the probity, punctuality, and good order of our government. You may be assured that whatever depends upon me, shall be executed with a steadiness which can alone preserve that part of my dominions, or the commerce which arises from it.

“ It is the fixed object of my heart to make the general good, and the true spirit of the constitution, the invariable rule of my conduct, and on all occasions to advance and reward merit in every profession.

“ To ensure the full advantage of a government conducted on such principles, depends on your temper, your wisdom, your disinterestedness, collectively and individually.

“ My people expect these qualifications of you: and I call for them.

the house, that it was not necessary for him, or any other of his Majesty's ministers, to enter at length into its justification, or indeed to take up much of the time of the house at all. An observation had been made on the wording of the address in the first paragraph, which gave him reason to think that there was an intention to convey to the public an insinuation, that all that was said to have been done, and was doing, had been done since the last session of parliament. The honourable gentleman* seemed particularly eager to take to himself the credit of having begun the measures, and set on foot the system which his Majesty's present ministers had so eagerly and attentively pursued. There was no doubt but the honourable gentleman and his friends had begun many of the reforms which were now pursuing, and there was also no doubt but that when the house came to have the information before them of the measures which had been pursued in the course of the summer, they would find that much more had been done than was projected by the honourable gentleman; and that there had been the most rigid attention paid to every one of the subjects mentioned by his Majesty in his speech from the throne. He declared he did not conceive the gentleman had ground for such a suspicion; nor did he hesitate to declare, that his Majesty's ministers were such men as he trusted would prove themselves faithfully attentive to the discharge of the duties of their situations, and consistent in every measure of their conduct, notwithstanding the charge brought by the right honourable gentleman against a member of administration,† whose peculiar attention to business, and candour and propriety since he had the honour of acting with him, in his opinion rendered him not at all liable to the charges preferred by the right honourable gentleman against him for duplicity, and a tendency to make professions which he did not mean to perform. The gentlemen, he said, in the midst of whom he then stood, could give the same testimony of the noble lord, that he did; and he would, as a proof of his reliance on the purity of his

* Mr. Fox.

† Lord Shelburne.

principles, take upon himself there solemnly to pledge himself, so confident he was of the integrity of the noble lord's intention, that he never would act, or in any capacity or situation co-operate, with that man, or the noble lord in question, whose actions were not equal to his professions. To this he pledged himself solemnly, as a man of honour, as a man whose conduct hitherto in life he had reason to flatter himself did in no degree give an opportunity to think otherwise of him, than as one whose character was dear to him as the most valuable consideration, and whose little share of early public opinion he would on no account whatever forfeit.

As those then were his professed principles, he would wish the right honourable gentleman, the house, the public in general, to believe, that if a period should come, when the noble lord should be found inattentive to the performance of any of his professions, that that instant, his connection with him was at an end, and he would never after be found to act with him in a public capacity, or hold with him the least intercourse of private friendship. With respect to the praise which the right honourable gentleman affected to bestow on a part of the administration, where he talked of the dangerous construction of the whole, he would be bold to answer for the honesty of the whole; and notwithstanding the strange mixture of professions without integrity, and integrity without profession, which he branded them with, he would insist that they deserved confidence in the whole. As then, what he had said was his solemn determination of his public as well as private conduct, he did not see why the right honourable gentleman should take so great exception at part of the speech, as invidious, or tending to convey what by no means was designed, an indirect censure on the ability, integrity, or public reputation of the right honourable gentleman, or those other gentlemen who had thought proper to retire with him.

He was not at all inclined to follow the right honourable gentleman through the whole of what he had said, because a great part of it was observation which he could not avoid thinking de-

sultory and inconsistent. The right honourable gentleman had abilities which he very much respected, and on that day he had made a very great and brilliant display of them; but the arguments he had advanced, and the advice he had given, were not delivered with that clearness and precision which were usual with him. There were inconsistencies which he knew not how to reconcile, and from which he knew not how to profit. At the same time, as he said before, his speech had shewn a brilliant display of talents, the more wonderful, as the speech of his Majesty had furnished him with so few opportunities of objection and dissent. If he might be suffered to attempt a parody on the lines which the honourable gentleman had quoted,* he should say,

The praise he gives us in his nature's spite;
He wishes we were wrong, but clearly sees we're right.

It was by no means his intention to say, that the honourable gentleman was insincere in the professions he had made, of not meaning to oppose his Majesty's ministers, in cases where they had copied his own plans; but speaking from the situation in which he had placed himself, and remembering that what he said had a considerable weight in that house, and with the nation, he desired that his language might be correctly examined, and clearly understood.

He had spoken of the events and conduct of the campaign in becoming terms of applause and triumph. The defence of Gibraltar, he said, was one of those astonishing instances of British valour, discipline, military skill, and humanity, that no age or country could produce an example of. The destruction of our enemies, and their preservation in the peculiar instance of Gibraltar, could never be equalled, and when it would be received by posterity, it would be received with an increase of glory to the English name, whilst the name of Eliott would be

* The lines Mr. Fox had used, and applied to Lord Shelburne, were,

You've done a noble turn in nature's spite;
For tho' you think you're wrong—I'm sure you're right.

transmitted with superior lustre among the list of heroes. Here he proceeded to pronounce a most elegant panegyric on the general, and equally was the advocate of Lord Howe's professional merit and distinguished conduct in every situation his duty called him to. The defence of Gibraltar, he said, could not be equalled for the glory it acquired. Gentlemen had chosen, with great violence, to arraign the conduct of the noble admiral employed in the service of the relief of Gibraltar; yet the defence and relief of that fortress, would be the subject of all men's praise, except the honourable gentleman's*, to the end of time. The world would pay respect to the testimonies of men unbiased by personal motives, and to the reports of professional men who were present, and had opportunities of judging from the conviction of their own senses: and he said he would adopt the honourable gentleman's words, with respect to Lord Rodney, as very applicable to the noble lord in question, "that he had his enviers." He had every reason to commend and approve of the manner in which the noble lord† had delivered his sentiments in the present arduous moment:—He had fairly stated the benefit of unanimity in the present hour, and he had paid proper and becoming attention to the circumstances of the nation, in forming his ideas of what we ought to expect, and what we must trust to in the peace to be concluded. That we must, in our negociation with the enemy, take into our view all the relative circumstances of the belligerent powers, and that concessions and sacrifices must be made agreeable to them, was clear beyond all question; and therefore he must assert that what the right honourable gentleman‡ had advanced with respect to the general propositions being carried too far, and that cession, if not strictly limited, would be highly unjustifiable, was not strictly consistent with what he had heard in that house some time ago, when it was said, "that hardly any peace could be a bad one in our present circumstances." Now, however, language was altered, and it was said that cession might be carried too far.

* Gov. Johnstone.

† Lord North.

‡ Mr. Fox.

His Majesty's ministers were uncertain what would be the event ; but he trusted every thing was in a forward and effectual train of completing the business, which was his Majesty's most earnest wish, and, he assured the right honourable gentleman, was equally the wish of his ministers. For his part, he said, it was the nearest object of his heart to see an honourable and lasting peace : and whatever counsels his situation obliged him to give, as being one of the King's counsellors, though he was conscious his youth and inexperience rendered it rather too much for him to oppose, or give his opinions among those of transcendent abilities and experience, he declared his advice always did, and would point to that desirable end. At the same time, if the dispositions of his sovereign were frustrated by any extravagant demands, he would also presume to advise a perseverance in the war, on the principle, notwithstanding the ruinous expenses that attended its progress hitherto, that the relative situations of our enemies, as well as the events of the campaign, entitled us to demand such terms as were consistent with the superiority we still maintained, even though deprived of so great a part of the British dependencies, by the granting away, or the loss, of America.

The noble lord desired, that he might not be considered as pledged to the approbation of the provisional articles which had been signed at Paris. The ministers of the King by no means intended that any man, in agreeing to the address, should be bound to the approbation of those articles. They wished gentlemen to be bound to no more than the letter and evident meaning of the address went to, which was to thank his Majesty for having concluded an agreement, by which the American question, that stood in the way of a negotiation with the belligerent powers, was removed, and the road cleared to a treaty for a general and honourable peace. Those provisional articles could not in their nature be immediately laid before parliament ; gentlemen would see the importance of the object on which his Majesty's ministers were now employed ; but he had the assurance that they would be laid before the house in the course of a few

days, when the delicacy that at present withheld them would be removed, and parliament would have an opportunity of deciding on the conduct of his Majesty's ministers. In the mean time, they wished that their conduct might be particularly enquired into. They desired that every paragraph and sentence of the address might be examined, that gentlemen from every side of the house would deliver their sentiments on the matter; and he assured them that the sentiments of the house would be collected, and their sense be paid that respect to, which it always deserved.

The motion for the address was carried *nemine contradicente*.

December 6, 1782.

THE report from the committee who had been appointed the preceding day, to frame the address to his Majesty, being brought up by Mr. Yorke,

Mr. Burke took this occasion to call the attention of the house to a very ingenious and forcible commentary on the speech of the King's ministers, as delivered from the throne; and, after using a great deal of laughable, mixed with a portion of serious, argument, he concluded with declaring, that he considered the speech as a compound of hypocrisy, self-condemnation, contradiction, and folly; and that, were it not that unanimity was so absolutely necessary at the present crisis, he would have moved an amendment to the address; which, even yet, he was hardly determined against doing.

MR. PITT, in answer, observed, that the present was a moment for seriousness, and not for mirth. The gay flowers of a brilliant and exuberant fancy were proper for their season,—for hours of jollity and recreation. He should be happy to share in the delights of that fertile imagination which had so long been the wonder and pleasure of that house; but he could not consent to indulge himself in admiring “the beautiful motes which people the sunbeam,” when his mind was occupied with objects so serious and important as those now before the house, nor could he approve of the indiscretion of that wit, which so unseasonably ran away with the good sense and sober judgment of the honourable gentleman. He said he was as willing as any

man to unbend his mind, and indulge in the recreation of the theatre; but it was only in the theatre, and in circles of amusement, that sober men would choose to give a loose to imagination, and abstract their minds from all business and reflection. He now rose, therefore, to bring back the house to sobriety and seriousness; and to tell them that this was neither a fit time, nor a proper subject for the exhibition of a gaudy fancy, or the wanton blandishments of theatrical enchantment: it was their duty and business to break the magician's wand, to dispel the cloud, beautiful as it was, which had been thrown over their heads, and consider solemnly and gravely the very perilous situation of the country, and by the force of their united wisdom, abilities, and experience, endeavour to rescue the kingdom from its difficulties by the restoration of an honourable peace. The honourable gentleman had paid him many compliments, which he was sorry he could not either accept or thank him for, as they were accompanied with animadversions of such a nature, that only the elegance of the gentleman's genius could save them from being ridiculous.—All such playful exercises of the gentleman's talent for the gay and ludicrous, he should treat with the same neglect with which all sober men would treat them; and all compliments paid to him in such a style, he should never think himself bound to acknowledge. That his character of the speech, in regard to the matter and manner, would be admitted by the house, he could not believe, because he could not believe that they would consent to call that speech a farrago of hypocrisies and absurdities, which they had unanimously approved, and for which they had, *nemine contradicente*, agreed to present his Majesty with an address of thanks. That his Majesty's serious admonitions to his parliament should be branded with such epithets; that his feelings on so serious a subject as the dismemberment of his empire, should be outraged; that his speech, delivered with all the sacredness of royalty, should be charged with mockery, hypocrisy, and even profaneness, were things which he did not expect to hear; and which nothing could justify but the circumstance

of their being the overflowings of a mind, the richness of whose wit was unchecked for the time by its wisdom and consideration.

For his part, he was in a more serious mind. He would endeavour, therefore, to pursue a different language from what the honourable gentleman had chosen; and, as he should not imitate him in style, neither would he resemble him in length.

In his Majesty's speech there was nothing that called for the ludicrous treatment the honourable gentleman had been pleased to bestow upon it. The language was plain, intelligible, sincere, and adapted to the occasion, and the address then under consideration was equally expressed with propriety. In order, therefore, that his Majesty's ministers might yet know what part of it was liable to objection, he begged it might be discussed in a manner suitable to the subject. He had the day before addressed himself to grave and independent men, with a view to find if there really appeared cause of objection to any part of it; that his Majesty's ministers might have an opportunity of openly clearing up any doubts that might be entertained, and of convincing that house, that their intentions were founded in a zealous endeavour to promote the public good, and that in a manner the most unexceptionable. With regard to the construction put upon various passages by the honourable gentleman who spoke last, they were, upon the face of them, such as could not be maintained for a moment, by fair and serious argument. After defending that part of the speech in which his Majesty deprecates the evils that might follow such a dismemberment of the empire as the recognition of the independence of America creates, he said, the honourable gentleman, among other interpolations and misconstructions of the text, (for it was evident he had tortured the text repeatedly for the sake of furnishing an opportunity to pursue an inapplicable comment) had chosen to connect the paragraph expressive of the readiness shewn by the subjects of the city of London in the general defence, with the mention of the proof of public spirit that had been given by some

particular persons; two matters as distinct and separate as could possibly be. Was that house, was any man, a stranger to the zeal of certain descriptions of persons in the metropolis, who, when the government, by a vigorous effort, was sending all the fleets of this country from our own coasts, to the relief of Gibraltar, offered to embody themselves for the defence of the city? Had that fact any natural analogy to the offer of money to build ships with for the use of the public? Was there an idea entertained by any one member of that house, that there was the smallest degree of intention in his Majesty's ministers, to apply the voluntary proofs of public spirit in private individuals, to an unconstitutional or a dangerous purpose? To what end then attempt, by arguments so ill-suited and uncalled for, to endeavour to damp the ardour of the country, and repress its spirit in a moment when it was most necessary to be excited? The honourable gentleman had ridiculed the calling forth of the temper, wisdom, and disinterestedness of parliament. Would any serious man attempt to maintain, that the exigency of the times did not render every possible exertion of the temper, wisdom, and disinterestedness of parliament necessary? and, that being allowed, would it be contended that it was an insult to parliament to endeavour to arouse its attention, and that the admonition, so gravely and solemnly given from the throne, was either unseasonable or indiscreet? The serious part, therefore, of what had fallen from the honourable gentleman, he considered as illogical and ill-founded; the trifling part, as the redundancy of an over-luxuriant imagination, which, in the hour of cool reflection, the honourable gentleman, he was convinced, would confess to have been ill-timed and improper.

With regard to the honourable gentleman's question of the sincerity and reality of the explanation of the provisional articles, which he had just given, he knew not whether the honourable gentleman meant to insinuate that he would be guilty of equivocation, when he solemnly stood up as a minister in that house, and gave an explicit answer to a question explicitly put to him; but he trusted to his hitherto unimpeached character,

that the house would not in candour suspect him to be capable of any such base and scandalous duplicity, till they had proof of his guilt: when they believed he was guilty, he should expect their detestation; but if the honourable gentleman now meant to impute any such charge to him, he should only say, that the imputation had, if it might be permitted to a young man to say so to one so much older than himself, his scorn and his contempt. If he had deceived the house in this instance, he desired to be considered no longer fit to be trusted in any degree. He pledged himself on his honour, that he would never sacrifice his veracity, nor be a party to a fraud, for any poor and inadequate advantages which he could reap from his continuance in a station, for which he did not think himself qualified.

The address was afterwards agreed to.

February 17, 1783.

*Debate on the Preliminary Articles of Peace with France and Spain,
and the Provisional Treaty with America.*

THE address approving of the treaties, was moved by Mr. Thomas Pitt; upon which an amendment was proposed by Lord John Cavendish, omitting the expressions which pledged the house to the approval of the treaties, and promising that the house would proceed to take the same into their serious consideration.

MR. PITT spoke in answer to the various arguments that had been adduced against the motion for the address to the throne. He was pointedly severe on the gentlemen who had spoken against the address, and particularly on Mr. Sheridan. No man admired more than he did the abilities of that right honourable gentleman, the elegant sallies of his thought, the gay effusions of his fancy, his dramatic turns, and his epigrammatic points; and if they were reserved for the proper stage, they would no doubt receive, what the honourable gentleman's abilities always did receive, the plaudits of the audience; and it would be his fortune,

"Sui plausu gaudere theatri."

But this was not the proper scene for the exhibition of these elegancies; and he therefore must beg leave to call the attention of the house to the serious consideration of the very important question then before them.

The clamours excited against the peace were loud in proportion to their injustice; and it was generally the case, that where men complained without cause, they complained without temper. It was necessary to look back, notwithstanding all that the honourable gentleman on the other side of the way had said, to the language of that house, and to the sentiments of that house on this very subject. Had they forgot the resolutions of last session, by which ministers were bound to recognize the independence of America? Had they considered, that that resolution, in which he for one most heartily concurred, took at the same time from ministers their advantage ground in negociation; and deprived them of the opportunity of proposing independence as a boon to be conceded, as a matter to be offered as the price, or as the basis of peace? Had they forgot the application made by the right honourable gentleman over the way* to the Dutch, an application couched in terms to his feeling more degrading than any concession in the present peace? Had they forgot the language of that day, when we were told, that we must have peace on any terms; peace for a year, for a day, just to give us a little breathing time? Were not these things to be remembered? or were they to be told, that times and circumstances were so completely changed, that what would have been desirable then, would not be so now? Were the circumstances so materially changed? Yes, they were; for these opinions were given, and these assertions made, when the right honourable gentleman was in office, and when the task of making peace was likely to fall on his own head. This was the change; this was the material alteration of circumstances which had taken place, and which now called for different conditions. The right honourable gentleman was no longer in place; he was no longer

* Mr. Fox.

responsible for the terms, and therefore the circumstances were changed.

But to shew that there was no other change of circumstances, he went into a long and particular detail of the relative situation of the belligerent powers—their strength, their resources, their wants, their objects, and their prospects, deducing from this the inference, that it was absolutely and indispensably necessary for this country to have peace, and that under all the circumstances of the nation at the time, the terms, which we had procured, were fair and advantageous. That he might prove this to be the case, he examined the articles, and spoke particularly to the points which had been complained of—the boundaries of Canada, the fishery of Newfoundland, the cession of the Floridas, the abandonment of the loyalists, and the other topics which had engaged the attention of the house; recommending to them temper and moderation, and spurning at all unseasonable and invidious schemes of opposition, in a moment so calamitous and alarming to the state.

With respect to the unnatural alliance which it was reported had taken place, Mr. Pitt said, it was undoubtedly to be reckoned among the wonders of the age. It was not easy to reduce such an event to any common rule of judging of men. It stretched to a point of political apostacy, which not only astonished so young a man as he was, but apparently astonished and confounded the most veteran observers of the human heart. He was excessively severe on this junction, and spoke in most pointed terms of reproach.*

At half-past seven in the morning the house divided—

For the amendment .. 224

Against it..... 208

Majority against ministers .. 16

* Mr. Sheridan, in rising afterwards to explain, took notice of the personal allusions which Mr. Pitt had introduced in his speech. "On the particular sort of personality which the right honourable gentleman had thought proper to make use of, he need not, he said, make any comment—the propriety, the taste, the gentlemanly point of it, must have been obvious to the house. But,

February 21, 1783.

THE discussion of the Preliminary Articles of Peace with France, Spain, and America being this day resumed, the following resolutions, censuring the terms of the peace, were moved by Lord John Cavendish,

1st, That in consideration of the public faith which ought to be preserved inviolate, this house will support his Majesty in rendering firm and permanent the peace to be conducted definitively, in consequence of the Provisional Treaty and Preliminary Articles which have been laid before the house."

2d, "That this house will, in concurrence with his Majesty's paternal regard for his people, employ its best endeavours to improve the blessings of peace, to the advantage of his crown and subjects."

3d, "That his Majesty, in acknowledging the independence of the United States of America, by virtue of the powers vested in him by the act of the last session of parliament, to enable his Majesty to conclude a peace or truce with certain colonies in North America, has acted as the circumstances of affairs indispensably required, and in conformity to the sense of Parliament."

4th, "That the concessions made to the adversaries of Great Britain, by the said Provisional Treaty and Preliminary Articles, are greater than they were entitled to, either from the actual situation of their respective possessions, or from their comparative strength."

After Mr. Fox had concluded a very long and forcible speech in support of the resolutions,

Mr. PITT rose, and delivered his sentiments as follows :

SIR, Revering, as I do, the great abilities of the honourable gentleman who spoke last, I lament, in common with the house, when those abilities are misemployed, as on the present question, to inflame the imagination, and mislead the judgment. I am told, Sir, "he does not envy me the triumph of my situation on this day:" a sort of language which becomes the candour of that honourable gentleman as ill as his present principles. The triumphs of par-

said Mr. Sheridan, let me assure the right honourable gentleman, that I do now, and will at any time when he chooses to repeat this sort of allusion, meet it with the most sincere good-humour. Nay, I will say more—flattered and encouraged by the right honourable gentleman's panegyric on my talents, if ever I again engage in the compositions he alludes to, I may be tempted to an act of presumption—to attempt an improvement on one of Ben Johnson's best characters, the character of the Angry Boy in the Alchymist."

ty, Sir, with which this self-appointed minister seems so highly elate, shall never seduce me to any inconsistency which the busiest suspicion shall presume to glance at. I will never engage in political enmities without a public cause. I will never forego such enmities without the public approbation; nor will I *be questioned and cast off in the face of this house, by one virtuous and dissatisfied friend.** These, Sir, the sober and durable triumphs of reason, over the weak and profligate inconsistencies of party-violence; these, Sir, the steady triumphs of virtue over success itself shall be mine, not only in my present situation, but through every future condition of my life: triumphs which no length of time shall diminish; which no change of principles shall ever sully.

The fatal consequence of Tuesday's vote, which I then deprecated and foretold, is already manifest in this house, and it has been thought on all sides requisite, to give a new stability to the peace, which that vote had already shaken. But the proof which the present motion is about to establish, *that we are determined to abide by this peace*, is a declaration, that we have examined the terms, and have found them *inadequate*. Still less consistent is this extraordinary motion with the language of Tuesday. It was then urged, that no sufficient time had been allowed us to determine on the articles before us; and in the short space of two days, we are ready to pass a vote of censure on what we declare we have not had leisure to discuss. This, Sir, is the first monstrous production of that strange alliance, which threatens once more to plunge this devoted country into all the horrors of another war.

It is not, Sir, an exception to any single article, if well-founded exceptions should really exist, that ought to determine the merits of this treaty. Private interests have their respective advocates, and subjects may be easily found for partial complaints: but private interests must bend to the public safety. What these complaints may prove, is indeed yet unknown: for whilst the

* Supposed to allude to Sir Cecil Wray, Mr. Powys, &c.

honourable gentleman alone is describing with so much confidence the distresses and dissatisfactions of trade, she herself is approaching the throne with the effusions of gratitude and affection. The honourable gentleman who spoke last, has fairly stated the terms by which the merits of this peace are to be decided — *the relative strength and resources of the respective powers at war*. I will immediately meet him on this issue.

I shall begin, Sir, with a most important subject, the state of the British navy; and shall refer myself for proofs of what I assert, to the papers now lying on your table. This appeal, Sir, to solid and authentic documents, will appear the more just and necessary, when I acquaint the house, that a noble lord,* from whom the honourable gentleman professes to receive *his* naval information, has varied in his statements to the cabinet, no less than twenty sail of the line.

We are informed, Sir, from the papers before us, that the British force amounted nearly to one hundred sail of the line.— Many of these had been long and actively employed on foreign stations. With diligent exertions, six new ships would have been added to the catalogue in March. The force of France and Spain amounted to nearly one hundred and forty sail of the line, sixty of which were lying in Cadiz harbour, stored and victualled for immediate service. Twelve ships of the line, including one newly built by the United States, had quitted Boston harbour under Vaudreuil, in a state of perfect repair. An immense land-armament was collected at St. Domingo. These several forces, were united in one object, and that object was the reduction of Jamaica. Who, Sir, can suppose with serious confidence, that island could have long resisted a regular attack, supported by seventy-two sail of the line? Admiral Pigot, after his reinforcement from Europe, would have commanded a fleet of only forty-six sail, and it has long been acknowledged in this house, that *defensive war must terminate in certain ruin*. Would Admiral Pigot have undertaken at this time *offensive* operations against the islands of the enemy?—those islands on which Lord Rodney,

* Lord Keppel.

flushed with victory, could not venture to attempt an impression? Would Admiral Pigot, Sir, have regained by arms what the ministers have recovered by treaty? Could *he*, in the sight of a superior fleet, have re-captured Grenada, Dominique, St. Kitts, Nevis, and Montserrat? Or, might we not too reasonably apprehend the campaign in the West-Indies would have closed with the loss of Jamaica itself, the remnant of our possessions in that part of the globe?

Let us next consider our situation in the east. A mere defensive resistance, however glorious, had entitled Sir Edward Hughes to the thanks of this house; but his success, if it may be termed a victory, had not prevented the enemy from landing a greater European force than we actually possess in India, and who at this instant are in conjunction with Hyder, subduing and desolating the Carnatic.

The prospect is by no means brightened when we look forward to the probable operations in the Channel, and in the Northern Seas, during the course of the ensuing summer. Thirteen new sail of the line would at that time have been added to the fleet of France; and the Dutch force, as it has been accurately stated by a great naval officer,* in this debate, would have amounted to twenty-five sail of the line. What accession the Spanish force would have received is not sufficiently known. It is enough for me to state, the fleets of Bourbon and of Holland would have doubled ours in our own seas. Should we have seized the intervals of their cruize, and poorly paraded the Channel for a few weeks, to tarnish again, by flight, the glories of the last campaign? Or should we have dared to risque the existence of the kingdom itself, by engaging against such fearful odds?

What were the feelings of every one who hears me (what were my own feelings it is impossible to describe) when that great man Lord Howe set sail with our only fleet; inferior to the enemy, and under a probability of an engagement on their own coasts? My apprehensions, Sir, on this occasion, however great,

* Commodore Keith Stuart.

were mixed with hope; I knew the superiority of British skill and courage might outweigh the inequality of numbers. But, Sir, in another quarter, and at the same instant of time, my apprehensions were unmixed with a ray of comfort. The Baltic fleet, almost as valuable as Gibraltar itself, for it contained all the materials for future war, was on its way to England; and twelve sail of the line had been sent out from the ports of Holland to intercept them. Gibraltar was relieved by a skill and courage that baffled superior numbers; and the Baltic fleet was, I know not how, miraculously preserved. One power, indeed, the honourable gentleman has omitted in *his* detail:—But the *Dutch*, Sir, had not been disarmed by the humiliating language of that gentleman's ministry. They were warmed into more active exertions, and were just beginning to feel their own strength. They were not only about to defend themselves with effect, but to lend ten sail of the line to the fleets of France and Spain. Here, Sir, let us pause for a moment of serious and solemn consideration!

Should the ministers have persevered from day to day to throw the desperate die, whose successes had won us only a barren, though glorious, safety, and whose failure in a single cast would sink us into hopeless ruin? However fondly the ideas of national expectation had diffused themselves amongst the people, the ministers, Sir, could entertain no rational hopes. Those columns of our strength, which many honourable gentlemen had raised with so much fancy, and decorated with so much invention, the ministers had surveyed with the eye of sober reason. I am sorry to say, we discovered the fabric of our naval superiority to be visionary and baseless.

I shall next, with submission to the right honourable gentleman who presides in that department, state, in few words, the situation of the army. It is notorious to every gentleman who hears me, that new levies could scarcely be torn, on any terms, from this depopulated country. It is known to professional men how great is the difference between the nominal and effective state of that service; and, astonishing as it may appear, after a

careful enquiry, three thousand men were the utmost force that could have been safely sent from this country on any offensive duty. But, I am told, Sir, the troops from New-York would have supplied us with a force equal to the demands of every intended expedition. The foreign troops in that garrison we had no power to embark on any other than American service; and, in contradiction to the honourable gentleman who spoke last, and to that noble lord whose language he affects to speak in this house, no transports had been prepared, or could have been assembled, for their immediate embarkation. Where, Sir, should they have directed their course when they were at length embarked, but into the hazard of an enemy's fleet, which would have cruized with undisputed superiority in every part of the western world.

No pressure of public accusation, nor heat of innocence in its own defence, shall ever tempt me to disclose a single circumstance which may tend to humiliate my country. What I am about to say will betray no secret of state; it is known, for it is felt throughout the nation. There remains at this instant, exclusive of the annual services, an unfunded debt of thirty millions.—Taxes, Sir, the most flattering, have again and again been tried, and, instead of revenue from themselves, have frequently produced a failure in others, with which they had been found to sympathize. But here, Sir, I am told by the honourable gentleman who spoke last, *other nations would have felt an equal distress*. Good God! to what a consequence does the honourable gentleman lead us!—Should I, Sir, have dared to advise a continuance of war, which endangered the bankruptcy of public faith; a bankruptcy which would have almost dissolved the bonds of government, and have involved the state in the confusion of a general ruin? Should I have ventured to do this, *because ONE of the adverse powers MIGHT have experienced an equal distress?*

The honourable gentleman who spoke last has amused the house with various statements, on the different principles of *uti possidetis* and restitution. The principle of those statements is as false as it is unexpected from him. Did his great naval friend

acquaint him with the respective values of Dominique and St. Lucia?—that lord, who in his Majesty's councils had advised, and perhaps wisely, a preference of the former. The value of Dominique, Sir, was better known to our enemies; and the immense sums employed by them in fortifying that island, prove, as well its present value, as their desire to retain it. That honourable gentleman has, on all occasions, spoke with approbation of the last peace:—was St. Lucia left in our hands by that peace, the terms of which we ourselves prescribed?—or was St. Lucia really so impregnable as to endanger all our possessions at the commencement of the present war?

It would be needless for me to remind the honourable gentleman who spoke last of any declarations he had made in a preceding session: professions from *him* so antiquated and obsolete, would have but little weight in this house. But I will venture to require consistency for a single week, and shall remind him of his declaration in Monday's debate, "that even this peace was preferable to a continuance of the war." Will he then criminate his Majesty's ministers by the present motion, for preferring what *he* would have preferred? or how will he presume to prove, that, if better terms could have been obtained, it was less their interest than their duty to have obtained them.

Was this peace, Sir, concluded with the same indecent levity, that the honourable gentleman would proceed to its condemnation? Many days and nights were laboriously employed by his Majesty's ministers in such extensive negotiations;—consultations were held with persons the best informed on the respective subjects;—many doubts were well weighed, and removed;—and weeks and months of solemn discussion gave birth to that peace, which we are required to destroy without examination: that peace, the positive ultimatum from France, and to which I solemnly assure the public there was no other alternative but a continuance of war.

Could the ministers, thus surrounded with scenes of ruin, affect to dictate the terms of peace? And are these articles seriously compared with the peace of Paris? There was, indeed, a

time when Great-Britain might have met her enemies on other conditions ; and if an imagination, warmed with the power and glory of this country, could have diverted any member of his Majesty's councils from a painful inspection of the truth, I might, I hope, without presumption, have been entitled to that indulgence. I feel, Sir, at this instant, how much I had been animated in my childhood by a recital of England's victories :—I was taught, Sir, by one, whose memory I shall ever revere, that at the close of a war, far different indeed from this, she had dictated the terms of peace to submissive nations. This, in which I place something more than a common interest, was the memorable æra of England's glory. But that æra is past : she is under the awful and mortifying necessity of employing a language that corresponds with her true condition : the visions of her power and pre-eminence are passed away.

We have acknowledged American independence—that, Sir, was a needless form : the incapacity of the noble lord who conducted our affairs ; the events of war, and even a vote of this house, had already granted what it was impossible to withhold.

We have ceded Florida—We have obtained Providence and the Bahama islands.

We have ceded an extent of fishery on the coast of Newfoundland—We have established an exclusive right to the most valuable banks.

We have restored St. Lucia, and given up Tobago—We have regained Grenada, Dominica, St. Kitt's, Nevis, and Montserrat, and we have rescued Jamaica from her impending danger. In Africa we have ceded Goree, the grave of our countrymen ; and we possess Senegambia, the best and most healthy settlement.

In Europe we have relinquished Minorca—kept up at an immense and useless expense in peace, and never tenable in war.

We have likewise permitted his most Christian Majesty to repair his harbour of Dunkirk—The humiliating clause for its destruction was inserted, Sir, after other wars than the past. But the immense expense attending its repair, will still render this indulgence useless ; add to this, that Dunkirk was first an object of our jealousy when ships were constructed far inferior to their

present draught. That harbour, at the commencement of the war, admitted ships of a single deck; no art or expense will enable it to receive a fleet of the line.

In the East Indies, where alone we had power to obtain this peace, we have restored what was useless to ourselves, and scarcely tenable in a continuance of the war.

But we have abandoned the unhappy loyalists to their implacable enemies—Little, Sir, are those unhappy men befriended by such a language in this house; nor shall we give much assistance to their cause, or add stability to the reciprocal confidence of the two states, if we already impute to Congress a violence and injustice, which decency forbids us to suspect. Would a continuation of the war have been justified, on the single principle of assisting these unfortunate men? Or would a continuance of the war, if so justified, have procured them a more certain indemnity? Their hopes must have been rendered desperate indeed by any additional distresses of Britain; those hopes which are now revived by the timely aid of peace and reconciliation.

These, are the ruinous conditions to which this country, engaged with four powerful states, and exhausted in all its resources, thought fit to subscribe, for the dissolution of that alliance, and the immediate enjoyment of peace. Let us examine what is left, with a manly and determined courage. Let us strengthen ourselves against inveterate enemies, and reconcile our antient friends. The misfortunes of individuals and of kingdoms, that are laid open and examined with true wisdom, are more than half redressed; and to this great object should be directed all the virtue and abilities of this house. Let us feel our calamities—let us bear them too, like men.

But, Sir, I fear I have too long engaged your attention to no real purpose; and that the public safety is this day risked, without a blush, by the malice and disappointment of faction. The honourable gentleman who spoke last has declared, with that sort of consistency that marks his conduct, "Because he is prevented from prosecuting the noble lord in the blue ribbon to the satisfaction of public justice, he will heartily embrace

him as his friend." So readily, does he reconcile extremes, and love the man whom he wishes to persecute! With the same spirit, Sir, I suppose he will cherish this peace too—*because he abhors it.*

But I will not hesitate to surmise, from the obvious complexion of this night's debate, that it originates rather in an inclination to force the Earl of Shelburne from the treasury, than in any real conviction that ministers deserve censure for the concessions they have made : concessions, which, from the facts I have enumerated, and the reasoning I have stated, as arising from these facts, are the obvious result of an absolute necessity, and imputable, not so much to those of whom the present cabinet is composed, as to that cabinet of which the noble lord in the blue ribbon was a member. This noble earl, like every other person eminent for ability, and acting in the first department of a great state, is undoubtedly an object of envy to some, as well as of admiration to others. The obloquy to which his capacity and situation have raised him has been created and circulated with equal meanness and address : but his merits are as much above my panegyric, as the arts, to which he owes his defamation, are beneath my attention. When, stripped of his power and emoluments, he once more descends to private life without the invidious appendages of place, men will see him through a different medium, and perceive in him qualities which richly entitle him to their esteem. That official superiority which at present irritates their feelings, and that capacity of conferring good offices on those he prefers, which all men are fond of possessing, will not then be any obstacle to their making an impartial estimate of his character. But notwithstanding a sincere predilection for this nobleman, whom I am bound by every tie to treat with sentiments of deference and regard, I am far from wishing him retained in power against the public approbation ; and if his removal can be innocently effected, if he can be compelled to resign without entailing all those mischiefs which seem to be involved in the resolution now moved, great as his zeal for his country is, powerful as his abilities are, and earnest and assidu-

ous as his endeavours have been to rescue the British empire from the difficulties that oppress her, I am persuaded he will retire, firm in the dignity of his own mind, conscious of his having contributed to the public advantage, and, if not attended by the fulsome plaudits of a mob, possessed of that substantial and permanent satisfaction which arises from the habitual approbation of an upright mind. I know him well; and dismiss him from the confidence of his sovereign, and the business of state, when you please, to this transcendent consolation he has a title, which no accident can invalidate or affect. It is the glorious reward of doing well, of acting an honest and honourable part. By the difficulties he encountered on his accepting the reins of government, by the reduced situation in which he found the state of the nation, and by the perpetual turbulence of those who thought his elevation effected at their own expense, he has certainly earned it dearly: and with such a solid understanding, and so much goodness of heart as stamp his character, he is in no danger of losing it. Nothing can be a stronger proof that his enemies are eager to traduce, than the frivolous grounds on which they affect to accuse him. An action, which reflects a lustre on his attention to the claims of merit,* has yet been improved into a fault in his conduct. A right honourable gentleman, who has exhausted his strength in the service of the state, and to whose years and infirmities his absence from parliament can only be attributed, owes to the friendship and interference of the noble earl a pension, which, however adequate to all his necessities and convenience in the evening of life, is no extraordinary compensation for the public spirit which has uniformly marked his parliamentary conduct. Surely the abilities and virtues of this veteran soldier and respectable senator, deserved some acknowledgment from that community in which they have been so often and so manfully exerted. Surely his age entitled him to a little repose in the lap of that public to whose welfare his youth had been dedicated. Surely, that principle of humanity, which stimulates

* Alluding to the pension granted to Colonel Barré.

those in power to commiserate in this manner the situation of neglected merit, possesses a nobleness, a generosity, a benevolence, which, instead of incurring the censure of any, ought to command the admiration and praise of all.

I repeat then, Sir, that it is not this treaty, it is the Earl of Shelburne alone whom the movers of this question are desirous to wound. This is the object which has raised this storm of faction; this is the aim of the unnatural coalition to which I have alluded. If, however, the baneful alliance is not already formed, if this ill-omened marriage is not already solemnized, I know a just and lawful impediment, and, in the name of the public safety, *I here forbid the banns.*

My own share in the censure, pointed by the motion before the house against his Majesty's ministers, I will bear with fortitude, because my own heart tells me I have not acted wrong. To this monitor, who never did, and, I trust, never will, deceive me, I will confidently repair, as to an adequate asylum from all the clamour which interested faction can raise. I was not very eager to come in, and shall have no great reluctance to go out, whenever the public are disposed to dismiss me from their service. It has been the great object of my short official existence to do the duties of my station with all the ability and address in my power, and with a fidelity and honour which should bear me up, and give me confidence, under every possible contingency or disappointment. I can say with sincerity, I never had a wish which did not terminate in the dearest interests of the nation. I will at the same time imitate the honourable gentleman's candour, and confess, that I too have my ambition. High situation, and great influence, are desirable objects to most men, and objects which I am not ashamed to pursue, which I am even solicitous to possess, whenever they can be acquired with honour, and retained with dignity. On these respectable conditions, I am not less ambitious to be great and powerful than it is natural for a young man, with such brilliant examples before him, to be. But even these objects I am not beneath relinquishing, the moment my duty to my country, my character, and my friends, ren-

ders such a sacrifice indispensable. Then I hope to retire, not disappointed, but triumphant; triumphant in the conviction that my talents, humble as they are, have been earnestly, zealously, and strenuously, employed to the best of my apprehension, in promoting the truest welfare of my country; and that, however I may stand chargeable with weakness of understanding, or error of judgment, nothing can be imputed to my official capacity which bears the most distant connection with an interested, a corrupt, or a dishonest intention. But it is not any part of my plan, when the time shall come that I quit my present station, to threaten the repose of my country, and erect, like the honourable gentleman, a fortress and a refuge for disappointed ambition. The self-created and self-appointed successors to the present administration, have asserted with much confidence, that this is likely to be the case. I can assure them, however, when they come from that side of the house to this, I will for one most readily and cordially accept the exchange. The only desire I would indulge and cherish on the subject is, that the service of the public may be ably, disinterestedly, and faithfully performed. To those who feel for their country as I wish to do, and will strive to do, it matters little who are out or in; but it matters much that her affairs be conducted with wisdom, with firmness, with dignity, and with credit. Those entrusted to my care I will resign, let me hope, into hands much better qualified to do them justice than mine. But I will not mimic the parade of the honourable gentleman in avowing an indiscriminate opposition to whoever may be appointed to succeed. I will march out with no warlike, no hostile, no menacing protestations; but hoping the new administration will have no other object in view than the real and substantial welfare of the community at large; that they will bring with them into office those truly public and patriotic principles which they formerly held, but which they abandoned in opposition; that they will save the state, and promote the great purposes of public good, with as much steadiness, integrity, and solid advantage, as I am confident it must one day appear the Earl of Shelburne and his colleagues have

done, I promise them, before-hand, my uniform and best support on every occasion, where I can honestly and conscientiously assist them.

In short, Sir, whatever appears dishonourable or inadequate in the peace on your table, is strictly chargeable to the noble lord in the blue ribbon, whose profusion of the public's money, whose notorious temerity and obstinacy in prosecuting the war, which originated in his pernicious and oppressive policy, and whose utter incapacity to fill the station he occupied, rendered peace of any description indispensable to the preservation of the state. The small part which fell to my share in this ignominious transaction, was divided with a set of men, whom the dispassionate public must, on reflection, unite to honour. Unused as I am to the factious and jarring clamours of this day's debate, I look up to the independent part of the house, and to the public at large, if not for that impartial approbation which my conduct deserves, at least for that acquittal from blame to which my innocence entitles me. I have ever been most anxious to do my utmost for the interest of my country ; it has been my sole concern to act an honest and upright part, and I am disposed to think every instance of my official department will bear a fair and honourable construction. With these intentions, I ventured forward on the public attention ; and can appeal with some degree of confidence to both sides of the house, for the consistency of my political conduct. My earliest impressions were in favour of the noblest and most disinterested modes of serving the public : these impressions are still dear, and will, I hope, remain for ever dear to my heart : I will cherish them as a legacy infinitely more valuable than the greatest inheritance. On these principles alone I came into parliament, and into place ; and I now take the whole house to witness, that I have not been under the necessity of contradicting one public declaration I have ever made.

I am, notwithstanding, at the disposal of this house, and with their decision, whatever it shall be, I will cheerfully comply. It is impossible to deprive me of those feelings which must always

result from the sincerity of my best endeavours to fulfil with integrity every official engagement. You may take from me, Sir, the privileges and emoluments of place, but you cannot, and you shall not, take from me those habitual and warm regards for the prosperity of Great-Britain, which constitute the honour, the happiness, the pride of my life; and which, I trust, death alone can extinguish. And, with this consolation, the loss of power, Sir, and the loss of fortune, though I affect not to despise them, I hope I soon shall be able to forget:

Laudo manentem; si celeres quatit

Pennas, resigno quæ dedit—

————— probamque

Pauperiem sine dote quaero,

The three first resolutions were agreed to without opposition. Upon the fourth, the house divided,

Ayes 207

Noes 190

Majority for censuring the terms of the Peace 17*

March 24, 1783.

Mr. COKE, after adverting to the unfortunate delay that had so long prevailed in completing the ministerial arrangements, moved an address to his Majesty, "that he would graciously condescend to a compliance with the wishes of the house, by forming an administration entitled to the confidence of the country."

Mr. PITT declared, he did not think that the present motion was any breach of the constitutional prerogative of the crown, or that it had any affinity to what seemed to be the opinion of some gentlemen, in respect to a parliamentary right of the commons, to interfere in a matter where the well being of the empire

* Public affairs continued, for several weeks after this division, in a state of great disorder; no new administration was appointed, and the negotiations for power were, through the several conjunctions of parties, carried on with much violence and animosity.

consisted in the formation of a ministry. He had however to observe to the house, that it was a matter which required their consideration, whether the motion now before them would have the effect to which it seemingly tended. For his part, he said, he did not see how the address could remove the difficulties that stood in the way of forming an administration, supposing that address unanimously carried. It only went to request, that his Majesty would form an administration that might have the confidence of the people. He wished, in that case, to know who were to be the judges of the particular men who had the confidence of the people, and how that matter was to be decided. At present there did not appear any criterion by which such an opinion could be formed. His Majesty was desired to appoint an administration, which by his royal authority he was already vested with power to do. He wished the noble lord in the blue ribband, and his honourable and new ally to declare upon their honour, as men, whether in their consciences they believed that the address moved for, if carried, would accelerate the business, or reconcile the militating opinions of party. He allowed that the empire without a government, without a ministry, was a matter of public misfortune. The present situation of the kingdom was the absence of all the functions of government, and the affairs of the nation were thrown into a distracted state. But he demanded, whether the address moved for had any real intentional tendency to relieve the state, and whether it was not calculated for other purposes. Some people, he said, could reconcile it to their minds to part with their old principles, and adopt new ideas : however such sentiments might agree with tried constitutions, and long practical habits, he was yet too young to change his opinion, and conform his ideas to the tide of interest, or the prevalence of party. He had formed one opinion, one great principle by which his conduct was to be regulated ; and it had in his heart taken such deep root, that he could not erase it. Gentlemen talked of forgiving animosities, and altering their political opinions with as much ease as they could change their gloves ; that what they reprobated to day, they were justified in

applauding to morrow; and those whom they hated, disdained and hooted at in the morning, it was honourable, patriotic, and conscientious, that they should take to their bosom in the evening. This was a maxim as yet a stranger to his heart. He could not coalesce with those whose principles he knew to be diametrically opposite to his own; because, if they changed to his opinion, he could not depend upon them, and if he changed to theirs, he must be conscious he acted against his honest judgment. Parties formed on such a basis could never long continue. There might be a seeming coalition of sentiment with the coalition of interest; but men who had come to the years of discretion, and who well knew how such political marriages were made, would pay very little respect to the oath, by which they were bound, whenever they found it their interest to depart from it. A similarity of ideas, he said, was requisite to make friendship permanent, and, without that similarity, there could not be either public or private coalition that would last. He therefore thought it necessary to declare explicitly, that he could not bring himself to adopt the same mode of reasoning as was held in justification of the grand coalition, and that his principles were such as were not adapted to times like the present.

Mr. Pitt, after this declaration, that he would not join the coalition, asked with an air of great earnestness, if, contrary to what he had heard, and contrary to what he believed was the general opinion, he was to understand that the noble lord in the blue ribband, and the honourable gentleman, solemnly pledged themselves to the assertion, that an arrangement of administration had not been delayed above ten hours, or some very short space of time, in consequence of the difficulties, that had arisen between the noble lord and the noble duke,* respecting the disposition of their arrangement, and that the noble lord and the honourable gentlemen also pledged themselves, that the whole of that arrangement had been made known wherever it ought to have been communicated? The noble lord in the blue ribband,

* Lord North, and the Duke of Portland.

had mentioned that he and his honourable friend * were perfectly agreed; and yet the noble lord publicly avowed that he should hold firm to former political sentiments, and that he should oppose the Reform bill. Was this a coalition likely to exhibit a similarity of sentiment for the public good, where, in the most essential point of interest for the people, the noble lord and most of his new friends materially differed?

There was a further point that he wished the house to consider; it was, to wait another day before they sent up their address, as it was probable an arrangement would then be formed. He thought this might be asked and granted now with as great a degree of propriety as it was on a former day; and he said, that he had some reason to imagine an administration would be formed, if not in one, at least, in two or three days. If gentlemen, however, differed with him in that opinion, he had no more objection to the motion than he had to see an honourable, honest, and permanent ministry formed. It was what he wished, for the welfare of the people, and for the peace and prosperity of the kingdom.

The motion was agreed to without a division.

March 31, 1783.

THE Earl of Surrey called the attention of the house to the unsettled state of the administration; and desired to know, from the right honourable gentleman (Mr. Pitt) who had just entered the house, whether an administration had yet been formed, or whether there was a near probability of such an event taking place; as if that was the case, he observed, the necessity that enforced his motion was superseded, and he should take pleasure in not being obliged to bring it forward.

MR. PITT said, he was to inform the noble lord, and the house, that he was not competent to give official information of any thing that came within his knowledge of the forming of an administration, as his royal master had, a little time before, on that day, been graciously pleased to accept his resignation of that

* Mr. Fox.

employ which he had the honour of filling in his government. If the noble lord, however, would accept of his personal knowledge, he would pledge himself, it was the earnest desire of his gracious sovereign to accede to the wishes and requisitions of his faithful commons, and which he had so amply testified in his answer to their address. However, though he could not take upon himself to say that an administration was formed, or when an event, which was so much to be wished for, should take place, his full reliance upon his Majesty's answer to the address firmly persuaded him, that his Majesty was anxiously employed in effectuating a purpose which was so much the wish of his people, and of his faithful commons in particular.

This explanation not proving satisfactory, the Earl of Surrey declared, that he found himself the more peculiarly called upon to proceed with his motion, and he accordingly moved, "That a considerable time having now elapsed without an administration responsible for the conduct of public affairs, the interposition of this house on the present alarming crisis is become necessary."

Mr. PITT again rose to assure the house that he gave every credit to the noble mover for the best intentions. He, however, did not admit with the noble lord, that there was a necessity for such a resolution after his Majesty's answer of Wednesday, and he thought the words of that resolution were as exceptionable as its spirit. There was an indecency in the language and style of it, of which he said, he could never approve, and the spirit of it aimed at the very dissolution of the government of this country. If the most undoubted, the most constitutional, the most necessary prerogative of the crown was to be wrested from it; or if any thing like an interference of that house, tantamount to such an intention, once took place, then there was an end of the constitution, and the very political existence of this country.

Mr. Pitt caught hold of the noble lord's word *co-operating*, to which he attached himself for some time, and said, for his part, he could not form a doubt but that it was the wish of the house to establish such a co-operation as would prove undoubtedly of the

most salutary consequence ; that co-operation, however, was not to be acquired by the present resolution, which tended neither in its letter, nor its spirit, to conciliate it. If, by any co-operation of sentiment, in respect to an address, there was a probable likelihood of removing the difficulties that stood in the way of forming an administration, there was no man to be found more ready than he should be to adopt and subscribe to it ; but he asked, and he demanded an answer from gentlemen, whether it was decent, whether it was loyal, whether it was parliamentary, whether it was constitutional, whether it was prudent, to agree to the motion proposed by the noble lord ? He requested the house to consider that it was only on Wednesday last when his Majesty received the address, and that there had elapsed but four days since that time. The royal answer was all that parliament could expect, it was all that parliament could wish, and a reasonable time should be allowed for conforming to the requisitions of the house. He lamented the situation of government without a minister, and saw inevitable destruction to the country if an administration was not formed ; yet he must confess at the same time, that the measure proposed to the house to effect that desirable purpose did not meet his idea of what was due to the country, and what was due to the sovereign. The motion strongly militated against political justice, and went directly to abolish the clear and undisputed privileges of the crown, and to effect a dissolution of all regal authority.

Until, therefore, he heard some sound reason adduced, some good substantial argument in proof of the propriety of the noble lord's motion, it should not, it could not, have his assent. In the words in which it now stood, it seemed to him to be couched in terms totally unwarrantable according to the present situation of the business. A most gracious answer had come from his Majesty, of which he was certain every member of the house approved ; and that answer he insisted was a sufficient security to parliament of the sovereign's intentions to comply with the wishes of the house. It was a pledge of a very strong nature, and which, if the noble lord's motion was carried, must in consequence lose its intrinsic

value, and give an opinion of the royal word, which perhaps, nay, which he was certain, it was not in the intention of any member of that assembly to convey. If a second application became necessary, it should be adopted with propriety, and conveyed with delicacy. There was a respect due to Majesty, which he hoped the house would never forget, as it was one of the great links that bound the three estates of the constitution together. Having said thus much, he observed, he should not, until he heard what was farther to be urged in support of the motion, take up any more of the time of the house.

Lord John Cavendish and Lord North disapproved of the resolution, preferring, as a more eligible mode, the form of an address. Lord North, in the course of his remarks, objected further to the wording of the motion. It implied, he said, that for six weeks past there had been no responsible ministers: this was not the fact; there had been ministers, who, till they resigned, were responsible for the conduct of government—responsible as ministers for every part of their conduct. This brought up Mr. Pitt once more:

Considering himself called upon by the noble lord who spoke last, he declared that, so long as he held any employment under the crown, he looked upon himself as responsible to parliament and to the people for his conduct. He wished not to conceal nor to do away, any one act during his official administration, by resigning the place he lately held. His desire—his ambition was, that his conduct as chancellor of the exchequer should meet every investigation—should be canvassed and scrutinized. He was conscious in himself that he acted uprightly, and therefore had nothing to dread. He again repeated, that he was responsible so long as he continued in office, and that he shadowed himself not from enquiry under the idea of retirement.

The Earl of Surrey then, in compliance with the wishes of the house, withdrew the resolution he had proposed; and substituted in its stead an address to his Majesty, in substance the same, but differing in its language from the original resolution.

To the proposition thus modified Mr. Pitt had only to object that it was something premature. He again made a public de-

claration, that he was unconnected with any party whatever; that he should keep himself reserved, and act with which ever side he thought did right. He would abide by the declaration he had made on a former occasion, that he would take no active part either for or against any party, but would be guided solely by the measures that were pursued; and it would be with the utmost reluctance that he should oppose any administration whatever; neither would he do it unless he was convinced they were acting wrong. In reply to what had been said about his responsibility, he declared, he was the last man in the kingdom, holding the principles that he had repeatedly avowed in that house, and meaning to act up to those principles in every possible situation, who would for a moment attempt to argue, that persons holding offices were not responsible for every part of their public conduct. Undoubtedly they were, and he held himself responsible to the very hour of his resignation. At the same time, he trusted, that it would be admitted, the extent of the responsibility was to be determined and governed by the peculiar circumstances of the times. If it should appear hereafter, that he had, on any occasion, within the past six weeks, done what he ought not to have done, or left undone what he ought to have done, or, in fact, neglected to promote the public interest where he could have promoted it, he was ready to admit his culpability.

With respect to the motion before the house, he really thought it too precipitate: there had been scarce time, since his Majesty had given his gracious answer, to form an arrangement. He could wish, as the right honourable gentleman had said, that unanimity would prevail, and that the address would be withdrawn without a division. He would not pledge himself to the house that such an arrangement would positively be made as the former address required, yet he thought an arrangement would take place in the course of a few days; therefore he could wish they would wait for it, and if then they should observe any culpable delay, the motion should have his hearty concurrence and support. He would not pledge himself to abide by the exact

words, but he certainly would vote for an address to the throne to know the cause of delay.

The motion was agreed to be withdrawn, but with the notice of its being resumed on an early day.*

May 7, 1783

Mr. PITT this day brought forward his promised motion respecting the Reform of Parliamentary Representation.

In order to secure a full attendance of members on this important question, the house had been previously called over; and now, after the various petitions that had been presented in favour of the measure had been read,

Mr. PITT rose to open the business. He declared, that in his life he had never felt more embarrassment, or more anxiety than he felt at that moment, when, for his country's good, he found himself obliged to discover, and lay before the house, the imperfections of that constitution to which every Englishman ought to look up with reverential awe; a constitution which, while it continued such as it was framed by our ancestors, was truly called the production of the most consummate wisdom: raised by that constitution to greatness and to glory, England had been at once the envy and the pride of the world: Europe was taught

* On the 2d of April it was announced to the house, that a new administration had been formed.

Members of the Cabinet.

Duke of Portland	First Lord of the Treasury.
Lord North	Secretary of State for the Home Department,
Right Hon. Charles James Fox	Ditto for the Foreign Department.
Lord John Cavendish	Chancellor of the Exchequer.
Lord Viscount Keppel	First Lord of the Admiralty.
Lord Viscount Stormont	President of the Council.
Earl of Carlisle	Lord Privy Seal,

Not of the Cabinet.

Lord Loughborough	} Lords Commissioners for the Custody of the Great Seal.
Sir Wm. Henry Ashurst	
Sir Beaumont Hotham	

by experience that liberty was the foundation of true greatness; and that while England remained under a government perfectly free, she never failed to perform exploits that dazzled the neighbouring nations. To him, he did assure the house, it was interesting, indeed interesting and awful beyond the power of description. He wished, however, the house to view the arduous and very difficult task he had ventured to undertake, in its true light. No man saw that glorious fabric, the constitution of this country, with more admiration, nor with more reverence, than himself: he beheld it with wonder, with veneration, and with gratitude: it gave an Englishman such dear and valuable privileges, or he might say, such advantageous and dignified prerogatives, as were not only beyond the reach of the subjects of every other nation, but afforded us a degree of happiness unknown to those who lived under governments of a nature, less pregnant with principles of liberty: indeed there was no form of government on the known surface of the globe, that was so nearly allied to perfect freedom. But a melancholy series of events, which had eclipsed the glory of Britain, exhibited a reverse of fortune, which could be accounted for only upon this principle, that, during the last fifteen years, there had been a deviation from the principles of that happy constitution, under which the people of England had so long flourished.

Mr. Pitt reminded the house how and upon what reasons the public had begun to look at the state of parliamentary representation; of the steps they had taken to procure some remedy for

Lord George Townshend Master-General of the Ordnance.

Hon. Richard Fitzpatrick -- Secretary at War.

Edmund Burke, Esq. Paymaster of the Forces.

Charles Townshend, Esq. Treasurer of the Navy.

James Wallace, Esq. Attorney-General.

John Lee, Esq. Solicitor-General.

Rich. Brinsley Sheridan, Esq. }
Richard Burke, Esq. } Secretaries to the Treasury.

Earl of Mansfield Speaker of the House of Lords.

Earl of Northington Lord Lieutenant of Ireland.

William Wyndham, Esq. Secretary to do.

the inadequacy which they discovered ; the degree of success that their endeavours had met with ; and what it was, that particularly occasioned him to rise at that moment, in support of their petitions. He said, to put the house in possession of all these circumstances, he need only advert to the history of a few years recently past ; a history which he would touch upon as shortly as possible, because it was not only a most melancholy picture of calamitous and disgraceful events, but because it was so extremely difficult to mention it in any shape, that would not appear invidious and personal. He then stated that the disastrous consequences of the American war, the immense expenditure of the public money, the consequent heavy burthen of taxes, and the pressure of all the collateral difficulties produced by the foregoing circumstances, gradually disgusted the people and at last provoked them to " turn their eyes inward on themselves," in order to see if there was not something radically wrong at home, that was the chief cause of all the evils they felt from their misfortunes abroad. Searching for the internal sources of their foreign fatalities, they naturally turned their attention to the constitution under which they lived, and to the practice of it. Upon looking to that house, they found that by length of time, by the origin and progress of undue influence, and from other causes, the spirit of liberty and the powers of check and control upon the crown and the executive government, were greatly lessened and debilitated. Hence clamours sprung up without doors, and hence, as was perfectly natural, in the moment of anxiety, to procure an adequate and a fit remedy to a practical grievance, a spirit of speculation went forth, and a variety of schemes, founded in visionary and impracticable ideas of reform, were suddenly produced. It was not for him, he said, with unhallowed hands to touch the venerable pile of the constitution, and deface the fabric ; to see it stand in need of repair was sufficiently melancholy : but the more he revered it, the more he wished to secure its duration to the latest posterity, the greater he felt the necessity of guarding against its decay. Innovations were at all times dangerous ; and should never be

attempted, but when necessity called for them. Upon this principle he had given up the idea which he suggested to the house last year; and therefore his object at present was not to innovate, but rather to renew and invigorate the spirit of the constitution, without deviating materially from its present form. When he submitted this subject to the consideration of the house last year, he was told, that the subject ought not to be discussed amidst the din of arms; the objection was not then without its force; but at present it could not be renewed, as we were happily once more in the enjoyment of the blessings of peace. This therefore was a proper time to enter upon the business of a reformation, which every man, who gave himself a moment's time to think, must be satisfied was absolutely necessary.

An Englishman, who should compare the flourishing state of his country some twenty years ago, with the state of humiliation in which he now beholds her, must be convinced, that the ruin which he now deplores, having been brought on by slow degrees, and almost imperceptibly, proceeded from something radically wrong in the constitution. Of the existence of a radical error no one seemed to doubt; nay, almost all were so clearly satisfied of it, that various remedies had been devised by those who wished most heartily to remove it. The house itself had discovered, that a secret influence of the crown was sapping the very foundation of liberty by corruption: the influence of the crown had been felt within those walls, and had often been found strong enough to stifle the sense of duty, and to over-rule the propositions made to satisfy the wishes and desires of the people; the house of commons (in former parliaments) had been base enough to feed the influence that enslaved its members: and thus was at one time the parent and the offspring of corruption. This influence, however, had risen to such a height, that men were ashamed any longer to deny its existence, and the house had at length been driven to the necessity of voting that it ought to be diminished. Various were the expedients that had been thought of, in order to effect so salutary a purpose, as was that of guarding against this influence; of shutting against it the doors of that

house, where, if it once got footing, after the resolution alluded to, liberty could no longer find an asylum. The house of commons, which, according to the true spirit of the constitution, should be the guardian of the people's freedom, the constitutional check and control over the executive power, would, through this influence, degenerate into a mere engine of tyranny and oppression, to destroy the constitution in effect, though it should, in its outward form, still remain.

Among the various expedients that had been devised to bar the entrance of such influence into that house, he had heard principally of three. *One* was, to extend the right of voting for members to serve in parliament, which was now so confined, to all the inhabitants of the kingdom indiscriminately; so that every man, without the distinction of freeholder, or freeman of a corporation, should have the franchise of a vote for a person to represent him in parliament;—and this mode, he understood, was thought by those who patronised it, to be the only one that was consistent with true liberty in a free constitution, where every one ought to be governed by those laws only to which all have actually given their consent, either in person, or by their representative. For himself, he utterly rejected and condemned this mode, which it was impossible for him to adopt, without libelling those renowned forefathers who had framed the constitution in the fulness of their wisdom, and fashioned it for the government of freemen, not of slaves. If this doctrine should obtain, nearly one half of the people must in fact be slaves; for it was absolutely impossible that this idea of giving to every man a right of voting, however finely it might appear in theory, could ever be reduced to practice. But, though it were even practicable, still one half of the nation would be slaves; for all those who vote for the unsuccessful candidates cannot, in the strictness of this doctrine, be said to be represented in parliament; and therefore they are governed by laws to which they give not their assent, either in person or by representatives; consequently, according to the ideas of the friends to this expedient, all those who vote for unsuccessful candidates, must be slaves: nay, it was often

times still harder with those who are members of parliament, who are made slaves also, and are governed by laws to which they not only have not given their consent, but against which they have actually voted.

For his part, his idea of representation was this, that the members once chosen, and returned to parliament, were, in effect, the representatives of the people at large, as well of those who did not vote at all, or who, having voted, gave their votes against them, as of those by whose suffrages they were actually seated in the house. This being therefore his principle, he could not consent to an innovation founded on doctrines subversive of liberty, which in reality went so far as to say, that this house of commons was not, and that no house of commons ever had been, a true and constitutional representation of the people; for no house of commons had yet been elected by *all* the men in the kingdom. The country had long prospered, and had even attained the very summit of glory, though this doctrine had never been embraced; and he hoped that no one would ever attempt to introduce it into the laws of England, or treat it in any other light than as a mere speculative proposition, that may be good in theory, but which it would be absurd and chimerical to endeavour to reduce to practice.

The *second* expedient he had heard of, was to abolish the franchise which several boroughs now enjoy, of returning members to serve in parliament. These places were known by the favourite—popular appellation of *rotten boroughs*. He confessed that there was something very plausible in this idea; but still he was not ready to adopt it; he held those boroughs in the light of deformities, which in some degree disfigured the fabric of the constitution, but which he feared could not be removed without endangering the whole pile. It was true that the representation of the people could not be perfect, nay, it could not be good, unless the interests of the representatives and the represented were the same; the moment they became different, from that moment the liberty of the people was in danger; because those who ought to be the guardians of it might find their account in

circumscribing it within narrower limits than the constitution marked out, or in carrying through measures, which might in the end effectually destroy it. It must be admitted, from a variety of circumstances, which it was unnecessary for him at present to explain, that though the members returned by boroughs might be for the present the brightest patterns of patriotism and liberty, still there was no doubt but that borough members, considered in the abstract, were more liable to the operation of that influence, which every good man wished to see destroyed in that house, than those members who were returned by the counties; and therefore, though he was afraid to cut up the roots of this influence by disfranchising the boroughs, because he was afraid of doing more harm than good by using a remedy that might be thought worse than the disease, still he thought it his duty to counteract, if possible, that influence, the instruments of which he was afraid to remove. The boroughs ought to be considered, not only as places of franchise, but also as places where the franchise was in some measure connected with property by burgage tenure; and therefore, as he was unwilling to dissolve the boroughs, he would endeavour to defeat the effect of undue influence in them, by introducing and establishing a counterbalance, that should keep it down, and prevent it from ruining the country.

This brought him naturally to the *third* expedient, that he had often heard mentioned, which was, to add a certain number of members to the house, who should be returned by the counties and the metropolis. It was unnecessary for him to say, that the county members in general were almost necessarily taken from that class and description of gentlemen the least liable to the seduction of corrupt influence, the most deeply interested in the liberty and prosperity of the country, and consequently the most likely to pursue such measures as appeared to them the most salutary to their country: in the hands of such men the liberties of their constituents would be safe, because the interests of such representatives and the represented must necessarily be the same. This expedient appeared to him the most fit to be adopted, be-

cause it was the least objectionable ; it had the merit of promising an effectual counterbalance to the weight of the boroughs, without being an innovation in the form of the constitution. He would not then say what number of members ought to be added to the counties ; he would leave that to be inserted in a bill, which, if the resolutions he meant to propose should pass, he intended to move for leave to bring in ; he however would say, that, in his opinion, the number ought not to be under one hundred. It was true he thought the house would then be more numerous than he could wish ; but still it were better it should be so, than that the liberties of the country should be exposed to destruction from the baleful influence of the crown in the boroughs. He was not, however, without an expedient, by degrees, to reduce the number of members, even after the addition, down to nearly the present number : his expedient was this : that whenever it should be proved before the tribunal, which happily was now established by law to try the merits of contested elections, that the majority of any borough had been bribed and corrupted, the borough should then lose the privilege of sending members to parliament ; the corrupt majority should be disfranchised, and the honest minority be permitted to vote at elections for knights of the shire. By this expedient he was sure the boroughs would be preserved free from corruption ; or else they must be abolished gradually, and the number of members of that house be reduced to its present standard. This disfranchising of boroughs would be the work of time : the necessity of disfranchising any one, whenever that necessity should appear, would sanctify the measure ; it would appear to be, what in fact it would then be, an act of justice, not of whim, party, or caprice ; as it would be founded not on surmise, but on the actual proof of guilt.

After amplifying upon this for some time, and shewing that it was equally founded in policy and in justice, he urgently pressed the necessity of something being done, in compliance with the petitions that had been presented, complaining of the present state of the representation ; and took abundant pains to caution the

house against adopting any extravagant plans of reform, that might be suggested by enthusiastic speculatists on the one hand, or obstinately refusing to take any step whatever in compliance with the petitions, under a childish dislike, and dread of innovation, on the other. After urging very elaborately an infinite variety of arguments, Mr. Pitt said his first resolution was what he conceived every individual member would feel the force of, and he ready to come into, without a moment's hesitation: of his second, he entertained hopes pretty nearly as sanguine, convinced as he was of its propriety and justice; and with regard to his third, though it might possibly meet with considerable opposition, he was extremely anxious to obtain it the sanction of the house. He then read his three resolutions, which in substance were as follow:

1. "That it was the opinion of the house that measures were highly necessary to be taken for the future prevention of bribery and expense at elections."

2. "That for the future, when the majority of voters for any borough should be convicted of gross and notorious corruption before a select committee of that house appointed to try the merits of any election, such borough should be disfranchised, and the minority of voters not so convicted should be entitled to vote for the county in which such borough should be situated."

3. "That an addition of knights of the shire, and of representatives of the metropolis, should be added to the state of the representation."

Mr. Pitt said, if he should be so happy as to succeed in carrying these resolutions, his intention was to bring in a bill upon their respective principles. When that bill was under consideration, it would then be the proper time for discussing and deciding on the number of knights of the shire to be added, and for making all such other regulations and restrictions as to the wisdom of the house might appear necessary. He therefore should not hold any gentleman, who chose to vote for his resolutions as containing general propositions, to be bound and pledged either to support the bill he intended to bring in, provided the house agreed to his present motion, or to any clauses it might be

fraught with, but to be wholly at liberty, and as much unrestrained in that respect as if he had not voted in support of the resolutions. Before he sat down, he again earnestly pressed the house either to adopt his propositions, or to suggest some other plan equally calculated to remedy the grievance.

The house divided on the order of the day, as moved by Mr. Powys,

Ayes 293

Noes 149

Majority against Mr. Pitt's propositions, 144

June 17, 1783.

MR. PITT having, on a former night, brought in a bill for abolishing fees, and establishing various regulations in the offices of the Treasury, Admiralty, Ordnance, Excise, and Stamps, and of several other offices therein mentioned, moved the house this day to resolve itself into a committee on the said bill; which being opposed by Lord John Cavendish, on the ground of the inutility of the measure,

MR. PITT expressed a good deal of surprize at what had fallen from the noble lord. He would not refer the regulations to the commissioners of public accounts, and yet he intended to continue them for another year! But above all, he was surprized at hearing the noble lord say, that the heads of the different offices would be the best persons to correct the abuses, and introduce new regulations into their several departments. He said he would state a few facts to the house, which would convince them of two things, that abuses did exist in several public offices, and that the heads of these offices were not the most fit persons to correct them.

If there was any object more worthy the jealousy of parliament than another, it was to take care that the receipt and expenditure of the public money were, in all the great revenue offices, conducted and managed with the utmost purity and fidelity. The evil consequences of a contrary practice were too obvious to

need illustration. He would, therefore, proceed to shew, that abuses in offices of revenue really existed, and that to a very great and alarming amount. And first, he would say something with regard to fees, gratuities, and perquisites. To instance one office only; in the navy-office, when an enquiry was instituted by the late board of Treasury, with a view to prepare the present bill of reform, the answer given was, that there were no fees received by that office. Upon a closer examination of the matter, however, it afterwards came out, that although there were no fees, received as such, yet that money, to a very considerable amount, was received by some of the officers, under the name of gifts: thus, for instance, the chief clerk of the navy-office received a salary of about 240 or 250*l.* a year, and it turned out that he received no less than 2500*l.* in gifts. Other clerks with smaller salaries received gifts in proportion. Mr. Pitt dwelt for some time on this fact, and urged, that the public were liable to have great frauds practised upon them, if those, in whose hands the means of check and controul were placed, were in the practice of receiving what certainly might be termed the wages of corruption. In the particular instances of those officers of the public yards, who were entrusted with the delivery of stores, the house must see that the practice was big with the most dangerous mischief. Mr. Pitt further stated, that in various other cases, the practice prevailed to an alarming degree, and mentioned a particular contract that had been deemed a very easy one, insomuch so, that it had been a matter of wonder how it could be fulfilled on terms so extremely reasonable. The solution of the enigma was, however, as easy as any solution could be, since it was only recollecting that the officers, who were to pass the contractor's accounts, to see that his contract was duly and faithfully executed, and to report, if they found the contrary to be the fact, were each of them in the pay of the contractor. In order, therefore, to put a stop to these abuses, and to prevent any more of this infamous traffic between the clerks in office, immediately concerned in checking, passing, and expediting the accounts of persons employed in serving the public with different

articles, and those persons themselves, he said, the aim of one clause of the bill was to establish and ascertain the actual amount of all the fees hereafter to be taken, and to appoint an officer in each office to receive the fees thus established.

While he was upon this part of the subject, he took notice of what had fallen from Mr. Burke a few days since, and said, that honourable gentleman had charged the two late secretaries of state with having unprecedently and illegally extorted enormous fees for passports. [Mr. Fox and Mr. Burke said across the house, there never was any such charge made.] Mr. Pitt, observing the contradiction, said, he averred it on his recollection, that the charge was as he had declared it to be. He then explained the matter, by stating, that, when passports had been applied for on the conclusion of the peace, enquiry was made what had been the custom and usage of the office in that particular, when the noble lords, then secretaries of state, were each informed what the uniform practice had been, and that practice they very naturally followed. Upon the matter being complained of as a grievance, one of the noble lords had declared, he had no objection to abide by the decision of a court of law, and had in the mean time stopped the distribution of the fees so taken. So far, therefore, had the honourable gentleman, who had moved for the account of passports granted, been from bringing forward any thing adverse to the bill under consideration, that he was free to confess his obligations to the honourable gentleman in that particular, since the honourable gentleman had thereby fortified him with a very strong argument in support of the bill, and in proof of the necessity of such a bill's passing. In order to shew that he felt the matter in that way, he declared, he meant to move for an instruction to the committee, to insert a clause to make the bill extend to the fees taken in the secretaries of state's office, as well as in the others already enumerated in the first clause of the bill.

He also took notice of a remark made by Mr. Sheridan a few days ago, who had charged the late board of treasury with having created a new fee at the very time that they professed to be

employed in forwarding plans of economy and reform respecting office-fees in general. Mr. Pitt said, the charge was ill-founded, and he went into an explanation of the subject-matter of it, declaring that the lords of the treasury had acted therein solely upon the ground of custom; that the matter related to a sum claimed as a gratuity upon a contract, which the treasury, as custom and usage were proved to have warranted such gratuities, and as the regulations intended relative to such points were not at the time carried into execution, had allowed to be taken. [Mr. Pitt produced and read the treasury minute that had been made on this occasion, in proof of what he asserted.] In the course of speaking of fees, he also mentioned the place of the secretary of the post-office, who, with a salary of 500 or 600*l.* made an annual income of upwards of three thousand. Mr. Pitt stated this to arise from his having two and a half per cent. on all packets; and in the last year of the war, he said, 140,000*l.* had been expended in packets, so many were either lost at sea or taken. He likewise alluded to the salaries of the two secretaries of the treasury, which he stated at 2000*l.* a year during peace, but said they swelled to 5000*l.* a year during war.

After very amply discussing the subject of official abuses in respect to fees, perquisites, and gratuities, he proceeded to the other parts of the bill, promising not to take up the time of the house in saying much on those, which were admitted by the noble lord to be proper objects of reform. The sale of places certainly ought to be checked, and so likewise ought some regulations to be made respecting the superannuation of officers, and the appointment of persons to discharge the duty of such as may have leave of absence. He would mention one instance of the latter species of abuse, which, he trusted, would sufficiently demonstrate the necessity of some immediate reform. Previous to the existence of the last board of treasury, a practice had obtained of the occasional superannuation of the stampers of the stamp-office, when the commissioners of the treasury each appointed a stamper, regularly one after the other in turn, as real vacancies happened, or as artificial vacancies were created,

It also pretty generally was the practice for each commissioner to appoint one of his own servants, and instantly to grant him a leave of absence, which leave of absence was constantly renewed for six months, every half year; so that, in fact, the place was a sinecure to the servants appointed, and all the business was done by a deputy. This abuse the last board of treasury had stopped as far as in them lay, and he meant in this bill to give the regulation in this particular the sanction of an act of parliament. The creation of new offices unnecessarily, was equally a matter that called for reform. It was pregnant with abuse, and could produce no possible good to the public.

The next article the bill stated its intention to reform, was the improvident expenditure of the public money in what were termed incidental expenses; under which head were comprehended, the supply of persons in office with coals, candles, furniture, &c. This, he observed, was subject to great abuse, and had in some instances been carried to a most absurd and indefensible extent, there being in existence, to his knowledge, various proofs of officers having not only made no scruple to order the different articles, at the expense of the public, to their dwelling-houses in town, but even to their houses in the country, and that at a most extravagant rate.

The clause Mr. Pitt next spoke of, was the clause relative to work done in the houses held under government. The abuses under this head, he declared, it appeared from enquiry, were very great. He mentioned the expense of repairing the house in Downing-street, in which he had the honour to be lodged for a few months. The repairs of that house only, had, he said, but the year or two before he came into office, cost the public 10,000*l.* and upwards; and for the seven years preceding that repair, the annual expense had been little less than 500*l.* The alterations that had cost 10,000*l.* he stated to consist of a new kitchen and offices, extremely convenient, with several comfortable lodging-rooms; and he observed, that a great part of the cost, he had understood, was occasioned by the foundations of the house

proving bad. Nor had the house of the chancellor of the exchequer alone proved a source of expense. Other houses belonging to the public in Bushy Park, at Hampton Court, and elsewhere, though they had not cost so much, had followed at no very considerable distance, and would be allowed, when the charges were ascertained, to have kept their pace in tolerably regular gradations.

He at length came to the latter clauses of the bill, those respecting the improvident consumption of stationary wares by the officers of the different departments of government. The abuses under this article of charge were, he said, almost incredible, and the mode of abuse in some instances truly ridiculous. He had even heard of rooms being papered with stationary at the expense of the public, and of other as unjustifiable uses of it. The annual charge on account of stationary wares, he stated to be above eighteen thousand pounds, and it would, he believed, somewhat astonish the noble lord in the blue ribbon,* when he told the house, and informed him, (for he really believed the noble lord had no idea of any such circumstance) that the noble lord alone, as the first lord of the treasury, cost the public, the year before the last, no less than thirteen hundred pounds for stationary. Great as this sum must appear to gentlemen, he declared, that, knowing as he did, of what curious articles the bill consisted, he should not have wondered if the amount had been as many thousands as it was hundreds. One article of the bill was an item of three hundred and forty pounds for WHIPCORD! When he mentioned this circumstance, he desired to be understood, as not intending any thing personal to the noble lord; he was persuaded, the noble lord neither connived at, nor knew of the abuse, and from that very circumstance he drew an argument in support of his bill, and in proof of the necessity of a substantial reform. The bill of the two secretaries to the treasury jointly for stationary the same year, nearly amounted to as much as the bill of the first lord; the bill of the five lords to little more than an hundred pounds each. Great

* Lord North.

abuse and waste of stationary wares was also practised in the houses of ministers, servants generally considering it as a part of their duty to contrive ingenious means for using more than their masters, and generally wasting ten times as much as they used. If then the board which possessed all the powers of controul, and which he doubted not had exercised those powers with becoming vigilance, viz. the board of treasury, were liable to such gross imposition, he had a right to suspect that in the subordinate offices, offices possessed of less power, and not so likely to exercise any check upon abuses of this nature, similar abuses prevailed to a considerable degree. He meant to propose allowing a certain fixed sum for stationary wares to each office, as the best, and indeed the only practicable means of correcting the abuse. Having amplified extremely on this and the other points of the bill, Mr. Pitt declared, he had no doubt but the plan of reform contained in the bill would save the public forty thousand a year at the least; he therefore hoped, that it would not only be the sense of the house that it should go to a committee, but that it should pass this session.

Before he sat down, he took notice of Lord North's expression in a former debate, that not a trace was to be found in the treasury, indicating a single step towards *that glorious fabric* (as the noble lord had been pleased to term it) *of reform and economy* held out in the king's speech. That speech had been often mentioned in the course of the session, and repeatedly charged with being full of vaunts and promises, never intended to be kept or fulfilled. The expression he had just alluded to of the noble lord, struck him as so very strong a one at the time, that he thought it necessary to take it down in writing, and he was determined, at the moment, to bring it to the test at some fit opportunity. As it was materially connected with the subject of the bill then under discussion, he knew of no fitter opportunity than the present. In order to bring the matter fairly within view, he declared he would read the promises of the speech on the opening of the session, paragraph by paragraph. He did so; and then urged the various measures tending towards

a plan of reform begun by the late ministry, as well those brought before parliament, as those not sufficiently matured for the inspection of the house of commons, ere the late ministry went out. He referred to Lord North and the present chancellor of the exchequer, as witnesses, whose evidence he was entitled to upon different topics in this part of his argument. He appealed to them whether there were not in the treasury, very laborious and accurate materials, drawn up at the instance of the last board of treasury, upon the mint, the royal forests, and a variety of other subjects alluded to in the king's speech, as intended to be brought forward in parliament as matters of reform? And after going through the whole, he complimented Lord North on his well-known candour on all occasions; whence he was induced to flatter himself the noble lord would do him the justice to acknowledge he had rashly made his assertion, and that, so far from there being no trace to be found in the treasury of that glorious fabric to which he had alluded, there were the foundations laid for the whole building, and that its basis was obviously intended to be most solid and substantial. Mr. Pitt said, this latter part of his subject had been touched upon in that house, and occasioned much warmth and asperity; he trusted that he had now put it fairly to issue, and stated it in so plain and precise a way, that it could hereafter become only a topic of cool and dispassionate discussion. He added other remarks, and at length wound up his argument with declaring, that it had afforded him some satisfaction to have had an opportunity of offering an explanation of the bill to the house; not doubting but that, after the bill had been explained, the house would acknowledge its importance, and immediately proceed to give it that consideration to which such a bill was undoubtedly entitled.

The motion was agreed to, and the house in a committee went through the bill.

November 18, 1783.

Mr. Fox this day called the attention of the house to the important subject of a total revolution in the system of the government of India ; and concluded his speech with moving for leave to bring in a bill, " for vesting the affairs of the East India Company in the hands of certain Commissioners, for the benefit of the proprietors and the public : " And also, a bill, " for the better government of the territorial possessions and dependencies in India. "

Mr. PITT then rose and said, that he could not refrain from noticing the singular manner in which the right honourable secretary,* had deprecated the charge of indolence, a charge which had never been imputed to the right honourable gentleman, though it had ever been considered as a leading feature in that part of the present administration, of which the honourable gentleman had been once thought to be no great admirer ; nor could he, at the same time, avoid remarking the claim that he had made, that parliament would never recur to a certain connexion of principle and patriotism, which had so much excited surprise and discussion in the last session, and that they would grant the coalition a perpetual amnesty. But how ready parliament might be to accede to the right honourable gentleman's desires, he would not pretend to determine. Indeed he knew not how far it might be adopted on the present occasion. For his own part, he could not avoid so far recurring to the present very extraordinary coincidence of sentiment and conduct of men, who were known to have acted and professed principles so diametrically opposite, as to testify his astonishment at it. He could not but observe, that the business which had been now laid before them, convinced him that there no longer subsisted a disagreement of sentiment. For could he have presumed to have anticipated the conduct of the right honourable secretary, from the principles he had always opposed in his noble colleague† when in opposite situations, he should have said, that he would have been the first to reprobate, not to propose, the system he had just divulged.

* Mr. Fox.

† Lord North.

Had this bill been brought forward at a former period, he should have expected to have heard it deprecated with all that warmth of sentiment and that astonishing eloquence for which he had been so justly admired. Although his noble colleague was indisposed, he did not conceive it a material interruption to public business : for the house had now a demonstration that the right honourable secretary had industry and inclination sufficient to perform, not only his own share of administration, but that of the noble lord likewise.

With regard to the bill which had been now brought before them, he had nothing to say against its propriety, necessity, or principle, at this time. He would suspend his judgment until the whole came before them ; when he would examine their provisions with the accuracy and care which they demanded. He was assured of what had been so eloquently observed by its right honourable mover, that very great and enormous abuses had been suffered in the management of our India affairs ; and great indeed he thought they must be to admit of a measure, which he would be bold to declare was an entire abrogation of all the ancient charters and privileges by which the company had been first established, and had since existed. All that he wished to mention was, that, as such a bill was brought before their consideration, they would consider it with that minute attention and and serious investigation which it loudly demanded, before they suffered it to pass into a law. He the more particularly urged this, from the manner in which the bill had been introduced. He should have expected, that a bill of so extraordinary an exertion of administrative power could never have been brought forward, without being premised with reasons that would, in some sort, justify so alarming a measure. But he was sorry to say, that in all that had been urged by the right honourable gentleman to support this motion, he heard no arguments that afforded him satisfaction. It was true, the bill was said to be founded on *necessity* ; but what was this ? Was it not *necessity*, which had always been the plea of every illegal exertion of power, or exercise of oppression ? Was not *necessity* the pretence of

every usurpation? *Necessity* was the plea for every infringement of human freedom. It was the argument of tyrants: it was the creed of slaves. He had heard no particular reason offered in favour of this necessity, except that of destroying the corrupt influence which had been exerted by the company and their servants in both houses of parliament. But surely this was an argument against the principle of the bill; for if government possessed themselves of this source of influence and corruption, it would no longer be the influence of a company, but that of the executive government. He asked, was it not the principle and declared avowal of this bill, that the whole system of the India government should be placed in seven persons, and those under the immediate appointment of no other than the minister himself? He appealed to the sense and candour of the house, whether in saying this he was the least out of order. Could it be otherwise understood, or interpreted, than that these seven, who were to have the sole direction of that part of India affairs which related to the political government, were to be appointed solely by the minister? The minister would then virtually be the governor of India: he would have all the power and patronage, for which this bill was principally recommended as tending to eradicate. Under this idea, he again most earnestly recommended, that the bill might remain on the table so long, as to enable every member of that house to form an adequate idea of the necessity of the measure, and the tendency of the principle.

The right honourable secretary, he observed, had his sincere thanks and applause for the manner in which he had expressed his intentions of giving security, stability, and permanency, to the property of the inhabitants in our territories in India. He felt his sentiments with the same warmth of animation and pleasure, as was the general feeling of the whole house, and what would always characterize the liberality of an Englishman: but while he paid this deserved tribute to so generous and honourable a sentiment, he hoped never to see it adopted, if it must be attended with the absolute destruction of our rights and characters.

at home. The right honourable secretary was willing to secure to the Gentoos their natural rights; but let him take care that he did not destroy the liberties of Englishmen. He mentioned the influence of the crown; but had it ever been, in its zenith, equal to what it would be, when it should find itself strengthened by the whole patronage of the east, which the right honourable secretary was going to throw into the hands of the crown? For his part, he was ready to declare, that in his opinion the whole of the right honourable secretary's system was nothing more on one side than absolute despotism, and on the other the most gross corruption. He concluded with observing, that he wished this bill not to pass without a call of the house; for he was assured that not a member of parliament, when he heard of this bill, would consider himself uninterested in its discussion. He thought it one of the most bold and forward exertions of power that was ever adopted by ministers.

The motion was carried unanimously; as was also Mr. PITT's, for a call of the house on the next day fortnight.

November 27, 1783.

Mr. Fox's East India bill was this day read a second time. The petitions against it from the courts of proprietors and directors of the East India Company were then read, and their counsel were heard at the bar—Mr. Rous and Mr. Dallas for the proprietors, and Mr. Hardinge and Mr. Plomer for the court of directors. As soon as they had withdrawn, Mr. Fox, in a long and able speech, enforcing the necessity of parliamentary interference in the affairs of the company, moved "that the bill be committed."

MR. PITT began with remarking to the house the peculiar situation in which he found himself placed by the progress and present state of this question. I have, said he, from the commencement of it, by every exertion in my power, summoned the attention of the house, and of the country in general, to the importance and dangerous consequences of the measure now proposed. I have pledged myself to the house, and to the

world at large, to point out the dreadful tendency of this bill on every thing dear and sacred to Englishmen; to prove its inimical influence on the constitution and liberties of this country; and to establish, by undeniable evidence, the false and pernicious principles on which it is founded. These particulars require time and deliberation, which the violent and indecent precipitancy of this business virtually proscribes. However, it is impossible to regard the very face of the bill, without feeling the strongest repugnance at its success. I desire the house to take notice, that the ground of necessity upon which the bill was originally declared to have been introduced, is now changed: that necessity no longer rests on the simple, clear, and obvious proposition, the bankruptcy of the East India company, but is this day placed on a still weaker foundation, though a foundation infinitely more fallacious, upon the temporary distress of the company. Is that a fit plea to warrant the passing of a bill, which openly professes a daring violation of the chartered rights of the company, and proceeds to an immediate confiscation of all their property? Ought the house to be satisfied with it, even if proved beyond the possibility of question? I trust they will not; I trust the house has too much regard for their own honour and dignity, too scrupulous an attention to justice, and too conscientious an adherence to their duty to their constituents, to support the minister in one of the boldest, most unprecedented, most desperate and alarming attempts at the exercise of tyranny, that ever disgraced the annals of this or any other country.

The right honourable gentleman,* whose eloquence and whose abilities would lend a grace to deformity, has appealed to your passions, and pressed home to your hearts the distressed situation of the unhappy natives of India: a situation, which every man must deeply deplore, and anxiously wish to relieve. But ought the right honourable gentleman to proceed to the protection of the oppressed abroad, by enforcing the most unparalleled oppression at home? Is the relief to be administered in

* Mr. Fox,

Asia, to be grounded on violence and injustice in Europe? Let the house turn their eyes to the very extraordinary manner in which the very extraordinary bill, now under consideration, has been introduced. When the right honourable gentleman opened it to the house on Tuesday se'nnight, he urged the indispensable necessity of the measure as its only justification; and, in order to carry that necessity to the conviction of the house, he gave such a statement of the company's affairs, as to convey to the ideas of almost every gentleman present that the company were bankrupts to the amount of eight millions. [Mr. Fox here shook his head.] I am ready to admit that the right honourable gentleman did not expressly say so; but I shall still contend, that the manner in which the right honourable gentleman stated their affairs, conveyed that idea. It has been entertained by most of those who heard the right honourable gentleman, it has been entertained by the public, and it has been entertained by the company.

The right honourable gentleman has himself confessed, he made several omissions in his former statement of the company's affairs. Omissions he certainly has made; omissions, gross, palpable, and prodigious. What is the consequence? The company flatly deny the right honourable gentleman's statement. They prepare an account of the true state of their affairs; they produce it at the bar of the house; they establish its authenticity by the concurrent testimony of their accountant and auditor. What happens then? The right honourable gentleman declares it is incumbent on him to clear his own character, and that can only be done by refuting and falsifying the company's statement of their affairs to the enormous amount of twelve millions. Arduous and difficult as this task is, the right honourable gentleman enters upon it with a degree of spirit peculiar to the boldness of his character. He acknowledges that the company's paper must be deprived of its credit some how or other; and he proceeds in a most extraordinary manner to effect a purpose he had just told you was so necessary to himself. The right honourable gentleman ran through the account with a volubility that rendered

comprehension difficult, and detection almost impossible. I attempted to follow him through his commentary; and though it was impossible upon first hearing such a variety of assertions, to investigate the truth of all of them, and completely refute their fallacy, I will undertake to shew that the right honourable gentleman has unfairly reasoned upon some of the articles, grossly misrepresented others, and wholly passed by considerations material to be adverted to, in order to ascertain what is the true state of the company's affairs.

Mr. Pitt then entered into a revision of the credit side of the company's statement, and endeavoured to overturn Mr. Fox's objections to some of the articles, and to defeat the force of his observations upon others. He justified the company's giving themselves credit for 4,200,000*l.* as the debt from government, on the ground that as they had advanced the full principal of the sum to government, they had a right to give themselves credit for the whole of it; and the more especially, as, on the other side, they made themselves debtors for 2,992,440*l.* borrowed, to enable them to make the loan to government of 4,200,000*l.* The money due for subsistence of prisoners in a former war, for the expenses of the expedition against Manilla, and for hospital expenses, he also reasoned upon, to shew that the company were not to blame for inserting them on the credit side of their account. The right honourable gentleman, he said, had such a happy talent of rendering even the driest subject lively, that his pleasant allusion to the charge of one halfpenny for bread, in Falstaff's tavern bill,* when he came to take notice of the 1000*l.*

* The passage in Mr. Fox's speech, which is here alluded to, may be not improperly inserted.

"After enumerating," said Mr. Fox, "their millions afloat; their millions in the warehouses: they (the company) come to the calculation of their specie; and it amounts to the sum of 1000*l.*! This reminds me of an article in one of our great bard's best plays, where, speaking of one of his best characters, it is said, 'so much for sack; so much for sugar; so much for burnt hock; so much for this, and so much for that; but for the solid—the substantial—the staff of life—*bread*, one halfpenny!' So it is with this flourishing Company; they have millions of goods, of bonds, of debts; but of *silver* they have one solitary thousand pounds."

amount of silver remaining in the treasury of the East-India company, had so far caught his fancy, that it was not till a minute or two afterwards that he glanced his eye a little higher in the same page of the company's account, and saw an entry of money to the amount of 142,794*l.* Mr. Pitt dwelt upon this for some time, and went into a discussion of the observations of Mr. Fox, upon the entry 280,575*l.* for bonds, which he strenuously maintained the company had a right to give themselves credit for. He also entered into a long argument respecting the sums credited for freights paid, defending them from Mr. Fox's objections. He likewise defended the entry of 253,616*l.* as the value of the company's houses and buildings in London, declaring, that as the company understood themselves to stand charged with bankruptcy, they felt it necessary to state the value of the whole of their assets in the schedule of the particulars of their estate. He reasoned for some time on the assertions of Mr. Fox upon the prime cost of four cargoes on their passage from Bengal, and said, notwithstanding the arguments of the honourable gentleman, that when the freight and duties were paid, there would be a loss rather than a profit on the investment, he believed the reverse would be the fact; for he generally understood, that, when an investment was made in India, the prime cost was at least doubled in the price the cargoes fetched in England. He opposed Mr. Fox's observations on the different entries under the head of *quick stock*, at the various presidencies of Bengal, Madras, and Bombay, and at Bencoolen, and in China, contradicting many of them, and upholding the company in their statement. He declared he did not know what the right honourable gentleman alluded to, relative to the private debt incurred by the Madras presidency. With regard to the debts due from the Nabob Asoph ul Dowla, and the Nabob of Arcot, he said, the honourable gentleman had taken such advantage of those facts to display his oratory, that the house was lost in a blaze of eloquence, and so dazzled with the lustre and brilliancy of the right honourable gentleman's talents, that they were deprived of the exercise of their sober reason, and rendered incompetent to weigh the propriety of the company's making any mention of debts, some

of which they expressly declared would be lingering in their payment, and others they acknowledged to be precarious.

After going through the whole of the observations and objections of Mr. Fox, and contending, that the right honourable gentleman had uniformly declined any sort of discrimination as to the different periods of time that the company's debts would come upon them, but had argued as if the whole were due at the present moment; Mr. Pitt said, the last matter urged against the company, viz. their capital, was, to his mind, the most extraordinary of any thing he had ever met with. He had often heard, when traders were bankrupts, or when it became necessary that their affairs should be vested in the hands of trustees, that it was incumbent on them to discover the whole amount of their debts to others; but he never before knew, that it was either incumbent on them to state, or unnecessary for the creditors to know, how much they owed themselves. Having put this very strongly, Mr. Pitt denied that there was any deficiency whatever in their capital, contending on the other hand, that the company, though distressed, were by no means insolvent, and that they ought to be allowed an opportunity of proving the whole of the statement of their affairs at the bar of the house. The right honourable secretary had accused the temerity of the company in bringing before that house the accounts of the company in a state exceedingly fallacious. He had asked "what indignation and censure was due to the individual who dared to have thus trifled with truth, with decency, and with the dignity of the house?" What then shall be said of a minister, who ventures to rise up in his place, and impose on the house a statement every way absurd and erroneous?

On these, and many other accounts, Mr. Pitt was clearly for deferring the debate. This position he argued very elaborately; and said, as it was perfectly reasonable to allow the house time to enquire into and examine the truth of the papers then on the table, the falsehood of which ought not to be taken for granted upon the bare assertions of the secretary of state, so introduced and made as they had been, he should hope there could be no

objection to adjourning the debate for a single day, and should therefore reserve his sentiments upon the principle of the bill for the present, and move "that the debate be adjourned till to-morrow (Friday) morning."

Mr. Pitt's motion of adjournment was negatived,

Ayes 120

Noes 229

The original question was then carried.

December 17, 1783.

As soon as the house assembled, Mr. Baker drew their attention to a subject which he declared to be of the last importance; and, after noticing the many delays and adjournments that the East India bill had met with in the other house, and commencing very pointedly on the influence of certain rumours, which he asserted were notorious and universal, respecting his Majesty's sentiments of the bill, he concluded with moving, "That it is now necessary to declare, that to report any opinion, or pretended opinion of his Majesty, upon any bill or other proceeding depending in either house of parliament, with a view to influence the votes of the members, is a high crime and misdemeanor, derogatory to the honour of the crown; a breach of the fundamental privileges of parliament; and subversive of the constitution of this country."

MR. PITT, on rising, apologised to Lord Nugent for having inadvertently attempted to be heard at the same time with his lordship, and hoped the noble lord would attribute his getting up at that moment to no other motive than that common one which actuated them both, a due attachment to the constitutional independence of parliament, and to the unalienable right of peers, either individually or collectively, to advise his Majesty, whenever they thought the situation of public affairs made such a step an essential part of their duty.

The very singular and solemn mode of introducing this most extraordinary resolution, the formality of summoning the immediate attendance of the members, and, above all, the personal character of the honourable gentleman who made, and the

noble lord * who seconded the motion, were circumstances which strongly impressed his mind with its necessity and importance: otherwise, when the matter was viewed in its proper shape, and divested of every superfluous accessory, it appeared to him the most unnecessary, the most frivolous and ill-timed that ever insulted the attention of the national senate.

He asked whether gentlemen had adverted to its foundation and object? Did it contain any specific charge? No. Was it directed to any decisive issue? No. Was it founded on any positive facts, either proved or stated? No. What then was the house to make of such a proposition? Could they adopt a measure which came in a shape thus questionable, without maturely weighing the consequences?

Upon what was the mighty grievance complained of supposed to depend? Not on any misdemeanor substantiated to the satisfaction of the house by any sort of evidence whatever, but on the vague surmises or lie of the day. The monster, public report, which was daily and hourly fabricating every species of the grossest absurdities and improbabilities, was thus made to intrude on the national business, and arrest the attention of the house of commons to follow her through all her shapes and extravagancies. Could any thing be more perfectly ridiculous, or a greater sarcasm on that serious and dispassionate dignity of mind, which ought to attend and discriminate all their parliamentary proceedings?

Surely no such consequence was ever before imparted to mere rumour and hearsay; for was it really the duty of parliament to take up rumours wherever they were to be found, the house might at least find enough of employment. Happily for ministers, their rumours were all sanctified by the authority of office. This was the stamp which was to give them currency. But might not those of every size, complexion, and shape, be every where seen, on every occasion, stalking openly, and menacing the freedom and birthright of Englishmen, under every form, and by every means?

* Lord Maitland.

Influence had been ascribed to rumours of a certain description: whether they were true or false he would not say. Nor would he decide whether, as rumour stated, influence was not equally used on the other side. Let ministers answer for those scribblers who were employed at their instance, and even dared avow the use of their authority for publishing things absolutely unfounded. Where was the man bold enough to avow such rumours as had been in constant circulation ever since the introduction of the India business? Who could estimate their operation on the minds of the people, the state of public credit, and the dignity of government in the eyes of foreigners? Why were not resolutions founded on such palpable and obvious mischiefs as these? These all, more or less, originated in rumours, which however were suffered to pass with impunity, and to expire unnoticed and unsuppressed. But rumours, big he would say with no such consequences, were to be marked with the indignation of parliament! He trusted the dignity of the house, the common sense which had always distinguished its proceedings, and the honour which gentlemen owed to their own professions, would not, on this occasion, suffer any thing so frivolous and contemptible to slur the annals of a British senate.

The honourable gentleman * had talked much about secret influence, and asked how ministers were to act when thus circumstanced? In his opinion, the servants of the crown were worse than useless, whenever they were without responsibility. For a situation thus dangerous and unconstitutional they were indeed strictly answerable. Their duty under circumstances thus dishonourable and inefficient, was therefore obvious and indispensable. The moment they could not answer for their own measures, let them retire. They were no longer fit to occupy stations which they did not adequately fill.

Ayes (for the order of the day)... 80

Noes 153

The main question was then carried. †

* Mr. Baker.

† At twelve o'clock on the following night (the 18th inst.) a special messen-

January 12. 1784.

Mr. PITT and the other re-elected members having taken the usual oaths and their seats, Mr. Fox and Mr. Pitt rose at the same time, and the friends of both gentlemen were very loud in procuring for each the preference of being heard.—The Speaker decided, that Mr. Fox was in possession of the house, as he had been up, and was interrupted by the swearing in of the re-elected members. Mr. Pitt spoke to order, and declared that he knew not that Mr. Fox was in possession of the house; but he thought it requisite for him to say, that the reason for his rising was to present to the house a message from his Majesty, conceiving, as he did, that the house would be disposed to hear that in preference to other matter.

The Speaker then, from the chair, announcing that Mr. Fox, having begun his speech, was clearly in possession of the house, and was entitled to go on,

Mr. Fox said, that nobody would believe that he was inclined to prevent the right honourable Chancellor of the Exchequer from presenting a message from his Majesty; but having risen to move for the order of the day, and the right honourable gentleman having it in his power to present the message, after the business of the day as well as before, and knowing at the same time, from the nature of the message, that there would be no injury in waiting, he wished that the house should go into the committee on the state of the nation where a motion of the most immediate consequence to the house would be made, and which, in his mind, ought to precede all other business. He therefore begged leave to move the order of the day.

Mr. PITT now rose.

He was by no means anxious, he said, to prevent the house from going into the committee on the state of the nation, or to keep the right honourable gentleman from the possession of the house, to the gaining of which such art and such accommodation had been used. He could not be at all surprised that those men, who before the recess had been so clamorous and so petulant, and who had gone such strange lengths, at a time when those persons, who unquestionably ought to be present at

ger delivered to the two secretaries of state a message from his Majesty, intimating that he had no further occasion for their services, and desiring them to render up the seals of their offices;—at the same time mentioning, that it was the royal pleasure that they should be delivered to him by the under secretaries, as a personal interview would be disagreeable. Early the next morning letters of dismissal signed, “Temple,” were sent to the other members of the cabinet. Earl Temple, who was appointed secretary of state, re-

the discussion of all important questions, were necessarily absent, should now have proceeded in the same way, and taken the advantage of absence to bring on a measure, by which he, as the minister of the crown, should be prevented from delivering a message from his Majesty. It was not his desire to prevent gentlemen from saying any thing that they might imagine would support that clamour which they had endeavoured so insidiously to raise in the country, any thing that would support that petulance which they had shewn before the recess, that unjustifiable

signed two days after—and the following arrangement was at length completed :

Right Hon. William Pitt	} First Lord of the Treasury, and Chancellor of the Exchequer.
Marquis of Carmarthen	} Secretary of State for the Foreign Department
Lord Sidney	Secretary of State for the Home Department.
Earl Gower (succeeded by Lord Camden)	} President of the Council.
Duke of Rutland (succeeded by Earl Gower)	} Lord Privy Seal.
Earl Howe	First Lord of the Admiralty.
Lord Thurlow	Lord Chancellor.
The above composed the Cabinet.	
Duke of Richmond	Master-General of the Ordnance.
Lloyd Kenyon, Esq. (afterwards Lord Kenyon.) ..	} Attorney-General.
Richard Pepper Arden, Esq. (afterwards Lord Alvanley)	} Solicitor-General.
Right Hon. Wm. Wyndham Grenville, (afterwards Lord Grenville)	} Joint Paymasters of the Forces.
Lord Mulgrave.	
Henry Dundas, Esq. (afterwards Lord Melville)	} Treasurer of the Navy.
Sir George Yonge Bart,	Secretary at War.
George Rose Esq.	} Secretaries of the Treasury.
Thomas Steele, Esq.	
Duke of Rutland	Lord Lieutenant of Ireland.
Thomas Orde Esq.	Secretary to do.

violence and those unprecedented steps which they had taken, for the purpose of inflaming the country, and exciting jealousies, for which there was no real foundation. He was happy to see the house met again, that now the ministers of the crown might be able to face the assertions, the insinuations, that were thrown out; for nothing in the shape of a charge had been brought forward, nothing had even been attempted to be proved: now they would have it in their power to meet the enquiries and the propositions that might be agitated in the committee on the state of the nation; and he assured the house, that he should not shrink from any question, charge, or insinuation, which the gentlemen on the other side might chuse to bring against him.

At the same time, however, that he cheerfully expressed his readiness to go into the committee on the state of the nation, he thought it right that this committee should be delayed for some short time, and he trusted the reasons which he should give would be satisfactory to the house. It had pleased his Majesty to command his services, at a time, when, however he might feel himself unqualified for the high station of the minister, he could not think himself justified in conscience to decline. The circumstances of the country were peculiar and distressing. The East-India bill, brought in by the right honourable gentleman, a bill so violent in its form as to give just reason for alarm to every thinking man, had been, by what powerful management it was not for him to say, hurried through that house. That bill established a species of influence unknown to the constitution of this country; and he was one of a most respectable minority, who thought, that if it had passed into a law, the independence of that house, the equilibrium between the three estates of the realm, and the beautiful frame of our government were at an end. That bill passed this house; but at the same time it was the idea of all men, even of those who objected to that bill as unfit to be passed, that some bill was essentially necessary; and he had pledged himself if it was withdrawn or thrown out, to propose one less violent in its principles, and, as he thought, more adequate to its purposes. Would any man object to his moving for

leave to bring in that bill? Would not all sides of the house acknowledge, that the first object to be embraced was the India business? It was for this question that the house was impatient. They had thought proper to present an address to the throne, testifying their extreme anxiety to go upon this important pursuit, which they stated to be so urgent as to make them dread any interruption whatever. Was it possible then that they should think of interrupting the business? Was it possible that they should think of preventing the introduction of a new bill, which was the only way of coming fairly to the business? Whatever serious enquiry into the state of the nation might be meditated afterwards, he should think it his duty most attentively and cheerfully to accompany. In the mean time he begged the house to consider, that this was the first day when the new ministers had met them in parliament. That ministry was formed, was called by his Majesty into office, chiefly on the ground of the India bill. Their first duty was to frame a system for the government of India. They had not opposed the last bill by cavilling; they had not objected to it from envy to the parents of it. They had opposed it, because they thought that its objects might be accomplished in a safer way. This was the point on which they were at issue. They had now to prove that they had not lightly disturbed the government of the country; that they had not set up a captious opposition, an opposition to men merely; but that they opposed a most violent measure; and having overthrown it, they thought it their first duty to substitute a more moderate, a more constitutional scheme in its place.

He spoke again of the clamour which had been excited, and said he was ready to meet it all. He had objected to the last bill, because it created a new and enormous influence, by vesting in certain nominees of the ministers, all the patronage of the East. He stated all his great objections to Mr. Fox's bill, and said, that he was now called upon by his duty, to bring in a new bill; and if the house, by agreeing with him to postpone the order of the day, would allow him to move for leave to bring in his bill, he would state all the outlines of his system, as shortly

and precisely as he could. He trusted that he should not be prevented, because the right honourable gentleman had fore-stalled the house, by rising at a time when those persons were absent, whose duty it was to conduct official business; and he hoped the house in general would agree with him in voting against the order of the day.

Before the debate closed, Mr. Pitt again rose, and replied to a variety of matters that had been urged against him, as well on the ground of secret influence, as on the principles on which had come into administration.

He declared he came up no back stairs; that when he was sent for by his sovereign to know whether he would accept of office, he necessarily went to the royal closet; that he knew of no secret influence, and that his own integrity would be his guardian against that danger; but the house might rest assured whenever he discovered any, he would not stay a moment longer in office. I will neither have the meanness, said Mr. Pitt, to act upon the advice of others, nor the hypocrisy to pretend, when the measures of an administration, in which I have a share are deserving of censure, that they were measures not of my advising. If any former ministers take these charges to themselves, to them be the sting. Little did I think to be ever charged in this house with being the tool and abettor of secret influence. The novelty of the imputation only renders it so much the more contemptible. This is the only answer I shall ever deign to make on the subject, and I wish the house to bear it in their mind, and judge of my future conduct by my present declaration: the integrity of my own heart, and the probity of all my public, as well as my private principles, shall always be my sources of action. I will never condescend to be the instrument of any secret advisers whatever, nor in one instance, while I have the honour to act as minister of the crown in this house, will I be responsible for measures not my own, or at least in which my heart and judgment do not cordially acquiesce.

With regard to the questions put to him as to the dissolution, it did not become him to comment on the words of a most gra-

cious answer of the sovereign delivered from the throne ; neither would he presume to compromise the royal prerogative, or bargain it away in the house of commons. When his honourable friend,* in whose hands he considered his honour to be as safe as his own, before the recess, in his name, and by his authority pledged himself to the house, that he, (Mr. Pitt) would not advise a dissolution, such at that time had been his real sentiment ; he could not at present say more, but he hoped nevertheless, the house would now consent to receive and go into the consideration of his India bill.

The motion for the order of the day was carried,

Ayes 232

Noes 193

and the house went into the committee on the state of the nation ; when several strong resolutions were passed, condemning as unconstitutional both the appointment, and the continuance in office, of his Majesty's ministers, who possessed not the confidence either of that house, or of the people:

Mr. PITT remarking only, that opposition, he was convinced, was fruitless ; and declaring, that he had taken upon him the government of the country upon one single, plain, intelligible principle, by which he desired to stand or fall, viz. to save the country from the India bill, which threatened destruction to its liberties ;—that his conduct was uniform, and intelligible, and that the nation and the world would understand and applaud it.

The purport of the message from the King, which Mr. Pitt had to declare, and which was afterwards read from the chair, was, “to inform the house, that on account of the river Weser being frozen up, and its navigation rendered impassable, two regiments of Hessian troops had been obliged to be disembarked and distributed in barracks at Dover, Canterbury, Chatham, and Portsmouth : and that his Majesty had given especial directions that, as soon as the navigation of the Weser was open, the two regiments in question should be again embarked, and immediately sent home to Germany.”

* Mr. Dundas.

January 14, 1784.

Mr. PITT, in pursuance of the notice he had given, this day moved for leave to bring in a bill for the better regulation of the government in India.

He rose, he said, in performance of his engagement to the public and to the house, and to discharge that duty which was indispensable to him in the situation which he held. He was neither deterred by the circumstances of the time, nor the appearance of the agitation of that assembly, from rising to move for the introduction of a new bill for settling the government of India, because he knew it to be the most immediate concern of the country, and that which before all other things called for the consideration of parliament. He was aware that, in the present circumstances of the time, any proposition that came from him was not likely to be treated with much lenity; and indeed, from what he had heard, he might be permitted to apprehend, not likely to be treated by certain persons with impartiality or justice; for they had already excited a clamour against what they conceived to be his ideas, and had already condemned, without knowing, his system. They had taken up certain resolutions passed by the proprietors of East-India stock, and had said, that a system founded upon them must necessarily be defective, must necessarily be charged with more influence, accompanied with less energy, than the bill which had been rejected. He knew the triumph which he should afford to a certain description of men, when he informed the house, that the plan which he proposed to submit to parliament was chiefly founded on the resolutions of the proprietors of India-stock, and that his ideas in all the great points coincided with theirs. He anticipated in his mind the clamour which would take place on this discovery, and the vociferous acclamations of those gentlemen ranged behind the right honourable member,* whose signals they were always disposed to obey, and whose mandates they were always ready to execute. He perfectly understood the nature of their conduct: he knew well

* Mr. Fox.

how capable they would be of deciding on the subject, from the notices they would receive, and how eagerly they would embrace the opinion which the right honourable gentleman would give them; but he was not to be intimidated from undertaking what he conceived to be for the interest of his country; and to the crime which was alleged against him, he pleaded guilty. He confessed himself to be so miserably weak and irresolute, as not to venture to introduce a bill into that house on the foundations of violence and entrenchment. He acknowledged himself to be so weak as to pay respect to the chartered rights of men, and that, in proposing a new system of government and regulation, he did not disdain to consult with those, who, having the greatest stake in the matter to be new-modelled, were likely to be the best capable of giving him advice. He acknowledged the enormous transgression of acting with their consent, rather than by violence; and that, in the bill which he proposed to move for, he had governed himself by the ideas of the proprietors of East-India stock, and by the sense and wisdom of those men who were most habituated to the consideration of the subject, as well as the most interested in it.

He gave to his opponents, with perfect cheerfulness all the advantage which this view of the subject could confer. His plan was really founded on the resolutions which the house had seen in the public newspapers, and he acted in concurrence with the sentiments of the general proprietary. He had not dared to digest a bill without consultation, which was to violate chartered rights sanctified by parliamentary acts; he had not ventured to conceive that any plan, which should erect in this country a system unknown to the constitution, would be ever embraced by any house of commons; or that a scheme of new and uncontrollable influence, in the hands of new and unconstitutional characters, would be suffered to have an establishment, since such a scheme must give the death-blow to our frame of government. He had taken notice of the objections started by the right honourable gentleman, before he had heard his plan, and accepted by his followers with the same haste and the same decency; he had

heard him allege, that his plan was calculated to give as much or more influence to the crown than the bill which had been rejected; and that it was not calculated to produce the salutary consequences to this country, or to India, which his bill would have certainly done. These were the imputations which had been brought against it before it was known, and the house were now to enquire into the truth of the assertion. He wished to be tried by comparison. He challenged the trial by that test; and he trusted to the candour of the house, even circumstanced as it now was; he trusted to their fairness and impartiality, that if they found the provisions of his bill as effectual, with less violence,—affording as vigorous a system of control with less possibility of influence,—securing the possessions of the east to the public, without confiscating the property of the company,—and beneficially changing the nature of this defective government without entrenching on the chartered rights of men, they would give him a manly, liberal, and successful support, without enquiring what party of men, or what side of the house, was to be maintained on the occasion. He trusted they would not approve his plan the less for being without violence, for being destitute of the rapidity, the grasping principle, the enormous influence, the inordinate ambition, the unconstitutional tendencies of the bill which had been rejected. He trusted also they would find, that he had not objected to the bill of the right honourable gentleman from motives of capricious, or of personal opposition, or that he was now to seduce them into the approbation of a measure more speciously coloured, but in truth stolen from that to which he had denied his assent.

He was not much affected with the clamour, that his was to be a *half-measure*—a *palliative*—although he had so loudly deprecated half-measures and palliatives on the first day of the session. *Half-measure* was the watch-word of the day. He should not be affected with this charge, if by that was meant, that every measure, which did not proceed to the violation of charters, and the confiscation of property, was a half-measure. If he could only avoid the imputation of erecting a system of power new

and unknown in the country, to the extinction of the company, and the danger of the constitution, he would not be displeased to hear his plan receive the appellation of a half-measure. But he trusted, that in the exposition of the principles of his plan, and of the provisions, they would find reasons to go with him in thinking, that without materially entrenching on the company, and without deviating from the practice of the constitution, a scheme of government might be framed, less overbearing, and equally efficacious. Whatever might be its reception, however, he should have the heart-felt pleasure of knowing that he had discharged his duty conscientiously; and he professed, that he was infinitely more eager to see a fair, solid, and effectual system established, than that he should be the person to propose it, as he was really more anxious for the welfare of his country than for the aggrandizement of himself.

The general objects to be looked to, and provided for, in the formation of a system for India, were chiefly these:

The concerns of this country in India, in the various considerations to which they branched; the civil and military government; the revenues; the commerce; the vast territorial possessions, which, though they had been long acquired, had never yet been finally settled: there were claims to be ascertained, and interests to be divided. The happiness of the natives was to be studied; the connection between the commerce and the territorial government was to be maintained; and, last of all, they were to consider what were likely to be the effects of the government of India on the government of Great-Britain; how it might affect our constitution in point of influence, and how it might be rendered at once vigorous and unalarming.

These were the objects to be considered, and surely the house would go with him in saying, they were most important. The possessions in India were great and ample; they could not be maintained but with broad and extensive establishments; they contained an immense number of the human race, for whose happiness it behoved us, by every call of humanity and policy, to provide; and there was the utmost necessity of framing a sys-

tem, which should at once preserve the connection and the distinction between the territories and the commerce. This was particularly difficult, and indeed the whole business was of so complicated a kind, that it required all the wisdom, all the experience, and all the consideration of parliament.

Any plan which he or any man could suggest for the government of territories so extensive and so remote must be inadequate; nature and fate had ordained in unalterable decrees, that governments to be maintained at such a distance must be inadequate to their end. In the philosophy of politics such a government must be declared irrational; it must be declared at the best to be inconvenient to the mother and supreme power, oppressive and inadequate to the necessities of the governed. In such a scene there could be formed, there could be imagined no theoretical perfection—it must be a choice of inconveniencies; and therefore he trusted that, in the examination of the ideas which he should throw out, the house would take into their view the difficulties, and always remember, that whatever was suggested, however specious, however promising it might be, must be tried by the event rather than by speculation. The general ideas which he had thrown out, and the objects which he had described to be in view, would serve the house as land-marks to guide them in the consideration, and they would examine how far his propositions were calculated to answer the object.

In the first place then, the political concerns of this country in India, that is, the civil and military government of India—the political establishments—the political system—the collection of the revenues—and, to give it one short and general definition, the imperial dominion of our territories in the East, ought to be placed under other control than that of the company of merchants in Leadenhall-street:—but the change ought to be made with as little violence as possible; it ought to be made by the conviction of the company, and not by violence. In this the proprietary agreed with him. The first business then, was to take care, that this should be made an effectual control, and it was his clear idea, that this control could not with safety or propriety be placed in any

other hands than those of the genuine and legitimate executive power of the constitution.

His next principle was, that the commerce of the company should be left, as much as possible, to their own superintendence. This was an idea which must strike every thinking man; for commerce ought always to be left to the merchant, unshackled, unembarrassed by interferences which might impede its current, and diminish its security. In this, however, there was a consideration to be attended to. The commerce of the East-India company was of a mixed nature. It was involved with revenue, and it would be requisite that a provision should be made for distinguishing between what was merely commercial and what was mixed, that under the colour of commercial acts or commercial regulation the politics of India should not be affected.

His next principle was to prevent capricious effects on the constitution of Britain from the government of India. In providing for this principle, very great delicacy was to be used in the nature, quality, and extent of the powers to be given to the governments in India. The servants in India must obey the controlling power at home; but still, in regard to the distance from the controlling power, care must be taken to arm them with such discretionary authority as should leave energy and vigour for all the purposes of good and substantial government, sufficient to secure the happiness of the natives, as well as to protect the commerce and the possessions, but at the same time so limited as to restrain inordinate ambition—to crush oppressive rapacity—to extinguish the jobbing of adventure—and to establish true and equitable dominion.

He understood well that it was more easy to exhibit principles than adopt provisions; and he only exhibited these principles to serve as land-marks to the house in the examination of his provisions, for he should succeed or fail in his plan in so far as he reached or came short of these ideas.

The first point, then, in the plan was to ascertain the degree of control which should be established over the company, and

the hands in which that control should be placed. The degree of control should amount to the government of the civil and military concerns, and of the revenue, and this was a species of control not new; for we had already seen a control over the company established in the hands of government. But the former interference of ministers had not been beneficial, because it had not been active or vigilant. On this account was it that the right honourable gentleman in his bill had placed it in new hands? Was it on this account that he had vested the control in the hands of a set of men, whose character was a monster and a novelty in the constitution? What security had parliament that this new and unheard-of board would have been more active and vigilant than a constitutional and executive one? Surely none but the character, the integrity, the intelligence, and the alacrity of the individuals who composed it. If men could be found by the executive government of the country equally endowed, he asked if the security to the public was not the same?

But he must again take notice here of the imputation, which, he imagined, would be thrown on his plan for its moderation in this respect. It would be called a *half measure*, because it left with the company many of their rights, their property, their patronage, their respect: but he saw no aspersion in the term of a half measure, if his plan was to be so termed in opposition to the totality of that scheme which grasped at every thing which they enjoyed. This grasped at no more than what was essential to the object, and he with confidence trusted to the impartiality of the house of commons, that they would approve of a measure calculated to effect all the purposes required, by means less violent than those of the late plan; and he had this confidence, notwithstanding the impression of the times, which he confessed to be new and extraordinary. His plan aimed at beneficial control. He meant not to rob nor to steal the rights of the company.

He knew that the merits of his plan must be comparative; and that the house would give the preference to that, which, in the comparison, was proved to be the best in the two great points

of sufficiency and vigilance of control. The public required security. What was the security which they had in the projected board of commissioners? Was it the greatness of their character, or the circumstance of their being appointed by the house on the nomination of the minister? If this was all, might not others be found as great in character, and found constitutionally by the executive power? And would it be a less recommendation of such men that they were not a new and independent institution, unknown to the constitution and uncontrollable by the crown? The persons, that had the control, should be persons capable of giving time and attention to the objects of the trust—they should have leisure for activity and exertion, that it should be no longer subject to the imputation of a sleepy and ineffectual control, but deserve the character of an active and efficacious one. But this could not be done, perhaps, without the creation of new officers; for in the present state of administration, the ministers through whom the crown should speak, that is, the two secretaries of state, were so occupied as not to be able to give the business all the time and attention which would be necessary. To provide for this, there should be joined to the minister other assistance to expedite the affairs, that they might not be delayed or neglected, at the same time that the crown's control was signified through a minister.

His proposal therefore was, "That a board should be instituted to be appointed by his Majesty, consisting of one of the principal secretaries of state, the chancellor of the exchequer for the time being, and a certain number of the privy council." The number of the board would be left blank for the consideration of the house. The privy counsellors were not to be as in the constitution of the privy council itself, to attend precariously; but such as his Majesty appointed were to give regular attendance at this board, and devote their time and study to its objects. But it might be asked, were there to be salaries given to the members of this new board, and was it to be productive of additional burthens to the people? He knew that in the last bill, though there was no salary mentioned, it was the

general rumour, if not the general intention, that they should have a remuneration. It was his idea, however, that in the present establishment, any expense might be avoided. There were in this country a number of persons, who, from their rank, were members of the privy council, and who at the same time were possessed of great and distinguished offices, with large emoluments and little labour. There was no doubt but a number of such persons might be found to accept of this important duty without any additional reward. It was what they owed to the country, from which they derived splendid incomes for no service; and he was sure that if it fell to his lot—which was a question to be decided—he would think it his indispensable duty, and would give up his time and attention most cordially to the object.

A board thus constituted, it might be imagined, would have the qualities of activity and vigour. It would be derived constitutionally from the executive power. It would create no new office of emolument. It would load the subject with no new burthen. It would be as efficacious as the board of seven commissioners. That board undoubtedly was composed of men of great integrity and fair honour; but he might be allowed to add, some of them not possessing much knowledge of, or interest in, the subject of their control. But this new board would be at least equally intelligent and as efficacious. It would be as good, only with this difference, that the rights of no company would be violated—only with this difference, that they would not be uncontrolled or uncontrollable;—only with this difference, that they would not possess the whole of the patronage, to the great danger of British liberty. The dispatches of the company must be submitted to this board, and be made subject to their control, their opinion to be given in a reasonable and competent time, and the dispatches countersigned by the board, by which a complete responsibility was vested in them. This was no ambiguous system—it was clear, public, and administrative.

In the next place, though he had no wish to interfere with, much less to control, the commerce of the company, yet as the

commercial acts might be connected with the political, because they might have an aspect leaning both to the one and to the other, he also proposed, "That all the commercial dispatches of the company should also be submitted to the board, whose control should be signified in a reasonable and competent time; but the court of directors, if they agreed not with the opinion of the board on the decision of the question, whether it had a political or merely a commercial tendency, might appeal to the king in his council, whose decision should be final." This he hoped would not be considered as a security nominal and frivolous, when it was remembered that this was to be a public appeal and public trial. He was sincere in his ideas on the subject of the security; and being so, he regarded neither the sneers nor the smiles of gentlemen: this appeal he considered as a guard to the company, and chiefly because it was liable to be discussed in both houses of parliament.

This board possessed not the patronage of the company. They had the power of a negative, indeed, but they could not alter the names that were sent them by the company; they could not make use of this power in the way of patronage, for it was his idea that this should be a board of political control, and not, as the former was, a board of political influence. He stated what the constitution of that board was, and what the constitution of this was to be. That board was to seize on the rights, patronage, commerce, and property of the company. This left to the company the uncontrolled possession of their commerce, their treasury, their patronage, their contracts, the appointment of their writers and cadets; by which, in the course of things, all the officers and servants in India were in their immediate appointment.

He then came to state what was to be the nature of the government abroad; "Their authority should have the powers of large discretion, accompanied with the restraint of responsibility." They should be bound to obey the orders of the board at home, but at the same time they should have a sufficient quantity of power for all the purposes of emergency, and all the occasions

which the immense distance might give rise to. He went into a long detail to shew how much the influence created by the last bill exceeded the influence of this. Here the government abroad could at best but select from among the appointments of the company—they could not make original appointments of their own. In addition to this, there was in the crown, and consequently in the two houses by an address to the crown, the power of recal.

It was to be enquired by whom the members of the councils abroad were to be appointed. The company had cheerfully yielded this point also to the crown. He however had his doubts on this subject, and therefore in his bill the matter should be left for the wisdom of the house to decide; but “the appointment of the commander in chief he thought should be clearly in the crown,” for the duties which he had to fulfil were so essentially connected with the great operations of the state, that there could be no doubt on his appointment.

The next consideration was the number of the councils abroad. His idea was, “that their number should be four, the governor-general to have the casting vote.” But this also he would leave to the house. The number of the council at Bengal he did not mean to reduce; for in this he followed the example of the right honourable gentleman, in not making the system a personal question.

The late bill thought fit to vest all the power in the government here, and none or little in the government abroad. His idea was otherwise. He thought there should be a power in the government abroad, large and broad, but guarded with responsibility.

He proposed that there should be “a revision of all the establishments in India, to see where retrenchments might be made with safety—to see what were necessary, what were useful, and what, on account of their inutility, inconvenience, corruption, or abuse, ought to be extinguished.” This he recommended, for he believed that many of the abuses in India arose from the establishments being overloaded.

Another reform struck him as essential, and which indeed was only an enforcement of an old rule. This was, "that all appointments in India should take place by gradation and succession." Influence would by this means be very much diminished; and indeed, without entering much into the nature and amount of the power, he imagined the government might be framed to possess all that was necessary to its purposes, without having so much as to create influence. He would speak only therefore of the great lines of power, without entering into the little detail.

His last proposition, he said, was, "That there should be erected a new tribunal for the trial of offences in India." He explained the necessity of such an institution, and said, it would be for the wisdom of the house to determine its nature and authority. His idea was, that it should consist of a number of the principal persons in Westminster hall in the first place; that civilians should also be joined; and also a number of peers, and a number of the members of the house of commons. A tribunal thus constituted might, in his idea, embrace the great object. The culprit might have the power of challenging; and, before this tribunal, evidence might be admitted which the courts of law could not receive. They should be directed to question, to arraign; they should determine the nature of offences; and in offences he would reckon the disobedience of orders, the acceptance of presents, oppressions of the natives, monopolies, rapacity, and all the train of offences which had tainted the national character in India. They should enquire into the personal fortunes of the delinquents; they should have the power of confiscation, and every thing but capital power. In regard to the Zemindars, though he admired the spirit of the right honourable gentleman's intention towards them, yet he could not imitate it on account of its impracticability. General indiscriminate restitution was as bad as indiscriminate confiscation. He proposed therefore, "That an enquiry should be instituted into the confiscations, for the purpose of restoring such as had been irregu-

larly and unjustly seized; and that they should be secured against violence in future."

He had taken notice of many more points, he said, than were included in his motion; but he had thrown them out for the consideration of the house, as a subsequent bill must be brought in for regulations, or, what he believed would be effectual, the bill of the right honourable gentleman now in the house might be modified to his purpose. He again gave a comparison between his bill and that which had been thrown out: and he declared, that the establishment of a moderate and effectual system of government for India was the great and immediate object of his mind. He did not wish to gratify young ambition by the place to which he was called; he was not attached to his eminence. I am not, said Mr. Pitt, governed at this moment by motives of personal interest, or of personal fame. I have introduced this plan as the deliberate conviction of my mind, made up on the most serious consideration of the most intelligent men. Accept the ideas, if they are worth your notice; strengthen them with your wisdom; mature them with your experience; or, in their room, establish a more adequate system, and I am happy.

However unpleasant to me a majority of this house, and insinuations against me, must be, I shall incur the danger of them all on this great point—establish a good, rational, and safe system, and dispose of me as you will. I have the consciousness of a good intention, and therefore, without having the serious fear, that personal considerations will be imputed to me, I conclude with moving, "That leave be given to bring in a bill for the better regulation of our Indian concerns."

The motion was seconded by Mr. Dundas, and, after some discussion, agreed to; and the bill was ordered to be read a first time on the Friday following.

January 16, 1784.

Mr. PITT presented his East India Bill, which was read the first time, and ordered to be printed. He then moved "that it be read a second time on Wednesday next."

In answer to a suggestion from Mr. Fox, that Wednesday next would be too early a day for the second reading,

Mr. PITT said, that it would ill become him to fall into the fault which he had taken the liberty to blame in the right honourable gentleman, by attempting to hurry through the house a measure which he could expect to carry only on a persuasion of its superior excellence. But though the right honourable gentleman endeavoured to fix upon him the imputation of inconsistency, it was very easy to convince the house that there was not the least ground for the charge, because there was not the least similarity between the conduct of the right honourable member and his own. When the first bill was brought in, it came suddenly upon the house; the parliament had been called early together; they were told that the business of India would be brought before them; but the precise measure that was to be proposed was kept a profound secret, till the very day it was opened to the house. At that time the house was satisfied only of one point, which was, that something must be done for securing the empire of India to this country. The something which was proposed by the right honourable gentleman was of so extraordinary a nature, so dangerous to the constitution, by the introduction of a power dangerous to monarchy, and of an influence paramount to every power in the country, that the house might well have expected to pause, to call for time to consider of so new and extraordinary a measure, which spared not even the most sacred, and hitherto deemed secure tenures and franchises in the kingdom: a delay, however, of only three or four days was asked, and that for the purpose of procuring a numerous attendance of members by a call of the house, and yet that delay, short as it was, was refused; it was

therefore with peculiar inconsistency, indeed, that the right honourable gentleman called for a delay, who would consent to none, when a similar request was made to himself.

Another striking difference between the present case and that of the late bill was, that the former was brought in upon grounds which had been over and over again debated during the discussion of the rejected bill; to spare the rights of the company, as far as was compatible with the safety of the public; to avoid the introduction of any innovation upon the constitution, and to guard against giving any new and dangerous influence to the crown: these were the great outlines of his bill; and these were the points for which he, and those who supported him, opposed the right honourable gentleman's bill. The house would see, from the leading features of the new bill, that it required not much time for gentlemen to be prepared to discuss it; and therefore there was not the same necessity for delaying the second reading of it, as there was for delaying the second reading of the rejected bill. To have a numerous attendance by a call of the house, was one ground of the request made to the right honourable gentleman for delay; but as there was now a very numerous attendance, there was not the same reason for postponing for so long a time as a week, the next reading of the new bill.

But what was most singular in the conduct of the right honourable gentleman on the present occasion was, that though he had all along argued, that the delay even of a day might be fatal to India, he was now completely forgetful of this circumstance, and he called for a delay of three days: and when it was considered that he meant, if he could, to have this bill thrown out, in order to make way for the second introduction of his own, it was clear that if he succeeded, there must be another more considerable delay consequent upon this, before his bill could be past; and thus the affairs of India, which might be ruined by the loss of a day, were totally disregarded in this struggle by the right honourable gentleman. For his own part, however, as he wished not that his conduct should in the smallest degree savour of that precipitancy, which he thought

so blameable in the right honourable gentleman, he would give up the point in question; and without pressing for Wednesday, he would consent to put off the second reading to this day se'n-night.

The house then, pursuant to the order of the day, went into a committee on the State of the Nation; and the following resolution was proposed by Lord Charles Spencer, "That it having been declared to be the opinion of this house, that in the present situation of his Majesty's dominions it is peculiarly necessary there should be an administration that has the confidence of this house, and of the public, and that the appointments of his Majesty's present ministers were accompanied by circumstances new and extraordinary, and such as do not conciliate or engage the confidence of this house; the continuance of the present ministers in trusts of the highest importance and responsibility, is contrary to constitutional principles, and injurious to the interests of his Majesty and his people."

Mr. PITT declared he could not suffer the debate to close without saying a few words; but as he saw the impatience of the house to separate, an impatience which he could not wonder at when he considered the very late hour of the night, he would assure them that he would detain them only for a few moments. Let the fate of the motion be decided either one way or the other, he said, he could not but feel the utmost comfort and satisfaction at the full, fair, and impartial discussion the question had undergone, and more particularly in having been witness to a debate in which, although from the personal nature of it he was debarred from taking any part himself, so many worthy and truly respectable gentlemen had risen to defend his character, and rescue it from the odium with which the violence of faction and the malice of party would have wished to have loaded it. In the course of the discussion a great variety of topics had been handled in a way that did honour to the ability of those who had spoken, and proved incontestibly, that the art and ingenuity of that set of men whose chief aim it had been to mislead and confound, had not been successful to the degree that they might possibly have hoped; but that there were others, and those of acknowledged estimation and importance in the country, who

were not more accurate in their judgments than zealous in their determination to tear the mask from the face of faction, and shew it in its native colours. This necessarily afforded him all the gratification that his most sanguine hopes could have aspired to.

With regard to the question, the committee would dispose of that as they thought proper. It was a question from its personal tendency certainly of some importance to him, but of infinitely more importance to themselves. The character of the house, the confidence of the people in their representatives, depended in a great measure on the fate of the motion; before they decided a point of such magnitude, he desired to throw himself on the candour, the justice, and the honour of the house. He had produced a bill for the better regulation of the East India company's affairs, a bill which he had given to the house as a pledge of his merits as a minister; a pledge by which he had consented to abide, and to rest all his pretensions to the confidence of the house on a fair comparison of that bill with the bill of the right honourable gentleman * that had been brought in before the holidays. His bill was already before them, and it rested with them to name the day for its discussion. If they came to a decision upon the motion that night, and a majority agreed to it, the house would have condemned him unheard, and before any opportunity had been afforded them upon which an opinion could be formed, whether he deserved to be condemned or not.

It had been agreed on all hands, that a system of regulation with regard to the future government of India, was indispensably necessary; one bill upon that subject had been agitated already, and had passed that house, but had been lost in the lords. The opinions of the public at large, he would venture to assert, were decidedly against that bill. Would the house then, while they had a bill upon the same subject, but of a very different nature, in their possession, and which yet remained to be examined and

* Mr. Fox.

discussed, proceed the length of the motion then under consideration? He flattered himself that they would not prejudge him—that they would not condemn him unheard; but that they would wait at least till that comparison and discussion that he most anxiously challenged had been gone through, and that the house in this material instance would act consistently with that candour, honour, and dignity which so highly became them, and which he hoped ever would distinguish all their proceedings.

The resolution was carried :

Ayes 205

Noes 184

January 23, 1784.

ON a motion for the second reading of Mr. Pitt's East India Bill, and after Mr. Fox, Mr. Erskine, and other members had expressed their objections to the measure,

Mr. PITT rose, and spoke to the following effect :

Notwithstanding the vast variety of auxiliary matter with which the right honourable gentleman * over the way has thought proper, according to his ordinary manner, to aid and to embellish his speech ; notwithstanding also his learned friend,† in a speech equally diffuse, has followed his right honourable leader through a most faithful repetition of the same arguments ; yet I cannot help thinking that I meet the question fairly, when I say that all the objections made to the present East India bill, reduce themselves to these two :

In the first place, it is said to want vigour and effect ;

In the second place, to want permanency.

Now, Sir, with regard to the first of these objections, that it is a plan of patronage, and not a plan of vigour, effect, and of power ; that it gives to the crown a new and enormous extent of influence, while it furnishes no new means of control ; to this I must reply : Is it possible that gentlemen who argue thus can

* Mr. Fox.

† Mr. Erskine.

have read the bill? Sir, I defy any man to contradict me when I say, that while there is every possible guard against patronage, the crown's vigorous, effectual, and authoritative command over the politics of Indostan, is clearly the main object of every line of the bill. It was the acknowledged fault of the regulating act of 1773, that it left only a dormant power among his Majesty's ministers to negative and regulate political orders sent out to India. This power, I allow, was not usefully, nay, not at all, exercised; responsibility lay not then with the crown; but, Sir, does it follow that when an express board is appointed, and devoted to the object of East India politics, charged with the whole responsibility, furnished with every means of information, as well as every power that can possibly be necessary to the dominion of the East—does it follow, I say, Sir, that by means of such a board, there will be no active, no efficient control? How does the right honourable gentleman torture the imagination, and strive to mislead the common sense of the house, in order to persuade them into this absurdity! He introduces a most curious dialogue between the government board and the directors; the directors appoint a servant, whom (according to his train of argument) the board object to, and say, "No, you shall not appoint this man your servant, for if you do, we will punish you, by insisting on such and such a measure." "Whom shall we appoint then?" say the directors. "Why we choose you should appoint such an one, says the board, "and then you shall order what political measures you please." The right honourable gentleman, therefore, in order to prove that the new board will have the patronage, while the directors will keep the control, argues exactly thus: The board, he says, will barter their control for patronage; ergo, the board will have all the patronage, and none of the control. But, Sir, will the directors agree to such a bargain? Will they give up all their right of naming their own servants, for the pleasure of dictating political measures? Is it possible to conceive such a perversion of common sense? I say, therefore, away with such arguments as these. If any honourable gentleman can fairly devise the means whereby the patro-

nage of the crown can be still farther restrained, and its authority in India at the same time supported, I am not only willing, but I am extremely eager to listen to any such propositions; but the committee, I conceive, will be the place for observations of this sort. What I contend, and insist at present, is only this, that to give the crown the power of guiding the politics of India, with as little means of corrupt influence as possible, is the true plan for India, and is the true spirit of this bill.

Next, Sir, with respect to the permanency of this system. And here I am forced to confess, that I, for my part, can never expect any duration, any consistency, any degree of permanency in the government either of India or any other of our dependencies, without a strong and permanent government is established in this distracted country. The right honourable gentleman has boasted that his system is able to maintain itself unshaken amidst all the changes of administration here: perhaps I may deny to the right honourable gentleman's plan even this quality: and here I beg the house to recollect an argument which the learned gentleman pressed most forcibly the other day; for when it was justly objected to that bill, that the seven commissioners would support the right honourable gentleman's party whether in or out of power, "Oh (said the learned gentleman) we all know that any new minister would be able, by carrying an address through either house of parliament, to displace any of these commissioners, and they must depend, therefore, on the good graces of those who have the majority of parliament," that is to say, on the minister for the time being; and in short, Sir, it was the common answer to this very serious objection on our part, that the India commissioners would naturally and necessarily have a good understanding with the minister for the time being. Why, Sir, if they will turn round with every new minister, how is the system said to be thus permanent amidst all the changes of administration? and yet I, forsooth, am the man accused of aiming at inconsistent advantages! Sir, I do wish the persons who shall rule India to maintain always a good understanding with administration. The right honourable gentle-

man compares the duty of the board appointed by this bill, to the duty of a new secretary of state, and laments that such a new office should be created: I accept of his comparison, and I say that the power of government over India ought to be in the nature of that of a secretary of state. The seven commissioners were secretaries of state set over all India, but independent of, and unconnected with the government of this country; and is not this a new and unheard-of power in this or in any constitution?

Earl Fitzwilliam, Sir, by that bill, had power to involve this country in war with France or with Holland, not only without the direction, but without the privity of the government of this country. Sir, he and his board were to manage all the politics of Indostan, implicated as they are with the politics of European powers, without the least knowledge of the politics subsisting in the king's cabinet, without the least co-operation, without the least kind of official communication with any one of his Majesty's servants. What an *imperium in imperio* was this! The East India company is said to be already an *imperium in imperio*; but, Sir, they at least hold some communication, they render up some information, they act in some concert with the government of this country; for the very ground on which government's right of interference has been built is this: That inasmuch as European politics were become involved in the politics of India, it was necessary that one executive power should have the superintendence over the whole empire. When the right honourable gentleman therefore calls his system permanent, because his commissioners were thus separated and insulated from the crown, I should lament such permanency, if it were possible; but I deny the possibility; for all our dependencies cannot continue to exist, unless in our Asiatic and European politics there be some unity of action. His permanency therefore was only this: it was a permanency of men, not a permanency of men and measures. The present bill, indeed, gives to no set of men a permanent, indefeasible power; but it establishes a permanency of system; it gives to the crown of these realms the sway over its Indian, much in the same manner as over its other dependen-

cies, and insures to it a permanent, regular, systematic, and supreme control over all the political affairs of that vast country.

I must say a few words, Mr. Speaker, with regard to the influence which this bill adds to the crown: for the right honourable gentleman has insisted, with no little acrimony, that the whole drift and spirit of this bill is to give an unbounded patronage to the crown; that I am become the champion of influence, and no wonder I am so earnest in this bill. The learned gentleman has even asserted, with a perfect air of confidence, that this bill takes more patronage from the company than the former bill itself: the former indisputably took the whole; the present as indisputably takes but a part: the learned gentleman has therefore asserted that a part is greater than the whole—an assertion, which I am sure, to his mind it were in vain to attempt disproving, and presumptuous in me to contradict. But, Sir, let me state it fairly and candidly, and see what is the influence gained to government. It has been repeatedly said, that a great deal of patronage has been all along derived to government from the company: what is the case by this bill? In the first place, all influence in England is left to the company; an influence infinitely more dangerous to this constitution, and more liable to abuse, than that which is exercised abroad. The nomination of all the numberless clerks, labourers, and servants here, is left entirely to the company; all contracts (than which nothing can be more adapted to the purposes of corruption) are left to the company; the preference of what ships, captains, shopkeepers, buyers and sellers, they please, is, in my opinion, most properly left to the option of the company; the nomination of all writers remains also to the company, as well as the nomination of the far greater part of the servants abroad. The crown, in short, appoints none but the supreme servants abroad, whose authority must be transcendent, and who must, for the sake of unity, be cordial with government. These superior servants, it is true, have a great command of influence in India; that influence, however, is materially broken, by being exercised only through their instrumentality; and it must be further remem-

bered, that these very servants will have been named in the first instance by the company, and are chosen to these high offices only after a regular and necessary gradation. If less influence than this will suffice, let it be still further reduced in the committee; I hope, however, it is indisputably clear that influence is not the object of this bill. I avow, indeed, that whatever is given, should, in my opinion, go fairly to the crown, and not be delegated to any set of men, who may pervert it to their own purposes.

One word more, Sir, with respect to the bill of the right honourable gentleman over the way;—he affects to tell you, with all the simplicity in the world, that his bill created no new power, gave no new influence, erected no new estate in the constitution of this country; for that it was a mere transfer of power from one body of men to another. Sir, I have already proved it was not a mere transfer of power; for the former directors were in some degree at least connected, and in some measure co-operated, with government; the new commissioners were not to be connected, were not to co-operate, with government. But, Sir, this is not all. It was a transfer of power from a body of men, unconnected with each other, numerous, and fluctuating, by whom the boundless patronage of India was divided into a thousand little wandering streams; it was a transfer from that large unconnected body, into the hands of a small junto, politically connected, established in a manner independent of the crown, by whom India was to be converted into one vast political engine, an engine that might be brought to bear against the independence of this house. Is the right honourable gentleman so dim-sighted, so unsuspecting, on a subject thus deeply affecting the freedom of parliament, and this whole constitution, as not to perceive the political bearing which must be given to this vast machine? Let the characters of his seven commissioners be what they may, even in that view, I say they are one political band: the collected patronage of all India at home and abroad, was to be knit together in their hands, to be levelled, as the party chose, either against the prerogatives of the crown, or against the inde-

pendence of parliament. Compared to these things, the very loss of India, Sir, nay, the loss of every dependency of this country, were light and trifling; the loss of India were a sacrifice easy to be borne; but the loss of liberty to this country, the sacrifice of the independence of parliament, and the ruin of this constitution—this is a calamity, this is a kind of ruin, to which I will never yield without a struggle.

The total overthrow of the chartered rights of the East-India company, was another most important objection, Sir, from which the present bill is indisputably free, since, in spite of all the cavil of the right honourable gentleman, it does come forward fortified and recommended by the consent of the company.

These are the grounds on which I maintain this bill. I offer it not to the house as a perfect plan. Let the right honourable gentleman himself propose any amendments in the committee. If its principle be right, if it be practicable, as a plan of reform for India, and above all, if it be safe as to the constitution of this country, the house, I trust, will so far recognize it, as to suffer it to pass into a committee.

The House divided on the second reading,

Ayes 214

Noes 222

The bill was then rejected.

After the division, Mr. PITT was urgently pressed to give the House some satisfactory explanation respecting the probability of a dissolution of parliament; and, on his remaining silent to all their entreaties, a loud and general call was repeated from every side of the House. At length, upon some harsh expressions from General Conway, who charged the minister with standing against the voice of the representatives of the people by means of bribery, and by other dark and intricate arts, which, if the imputation was false, he was bound, for the sake of his own honour, to explain and refute,

Mr. PITT called the right honourable general to order, and desired him to specify the instances where the agents of ministers had gone about the country practising bribery. It was an assertion which he believed the right honourable general could not

bring to proof, and which, as he could not prove, he ought not to assert. He begged the right honourable general to suffer him to be the judge of his own honour. He had not been long accustomed to the violence of that house, or to its harsh language; but he had been long enough accustomed to it to assure the house, that neither unsupported slander, nor intemperate invective should discompose his mind. He would not condescend to answer interrogatories, which he did not think gentlemen intitled to put to him. He said, he should not give any answer whatever to their questions, and he concluded in a tone of high and elevated sentiment, and with a classical text, expressive of its being inconsistent with dignity, to attend to either their rash slanders, or their modest questions.

Here the conversation was terminated by an adjournment.

January 26, 1784.

* Mr. EDEN, after adverting to the answer returned by his Majesty to the address of the house on December 24, moved, "That it appears to this house, that his Majesty's most gracious answer contains assurances, upon which this house cannot but most firmly rely—that his Majesty will not, by the prorogation or dissolution of parliament, interrupt this house in their consideration of proper measures for regulating the affairs of the East-India Company, and for supporting the public credit and revenues of this country; objects which, in the opinion of his Majesty, of this House, and of the public, cannot but be thought to demand the most immediate and unremitting attention of parliament."

MR. PITT, upon this, rose and declared that he no longer felt the objection which he had for some time past expressed, to give an answer to the many questions that had been put to him, relative to the apprehension entertained by the house of a dissolution or prorogation of parliament. For though he held himself

* It may be proper to remark, that after the rejection of Mr. Pitt's India bill on the 23d inst. general apprehensions were entertained that the minister had resolved on a dissolution of parliament; an opinion, which was not a little strengthened by the persevering silence Mr. Pitt maintained on the subject.

perfectly justified in refusing to give any answer to questions put to him by individual members, he held the case to be widely different when a question was put to him by the house; and therefore, though he had formed to himself a resolution not to pledge himself to any specific declaration relative to a dissolution, when called upon to do it by an individual member, yet, when a question came to him in the shape of a resolution, and countenanced by the house, he no longer felt an objection to give an answer; and he was under no manner of difficulty with respect to the consequences of the motion, as the answer he should give would be such as would set the minds of gentlemen at ease. It was allowed on all hands that it was his Majesty's undoubted prerogative to dissolve or prorogue parliaments: and, as a minister of the crown, he never would advise his Majesty to pledge himself by any promise generally, and without any expression of limitation or qualification, not to exercise this prerogative. The answer on which the resolution moved by the right honourable gentleman was founded, did not bind the king to any thing more than not to prevent the meeting of parliament after the recess; and though gentlemen might be inclined to construe that answer literally, they ought not to be very forward in putting a construction upon the answer beyond what the words would obviously support. There were gentlemen on the other side of the house, who did not always think that the construction was such as was now attempted to be put upon it, for they argued from the beginning that the answer bound the king to nothing more than barely not to prevent the meeting of parliament after the recess. It was rather an indelicate and an unusual way of proceeding, to put constructions, by way of resolutions, on the king's words, when the house might pursue the old parliamentary mode of addresses.

As to the resolution then before the house, the principal objection he had to it was, that it bound the king down to that unlimited and unqualified promise, that in no possible or imaginable situation of affairs he would resort to his prerogative, and prorogue or dissolve parliament; a promise which he, for one, would

never advise his Majesty to make. However, he was ready to own that something had happened since his Majesty had given that answer, which had greatly altered the situation of affairs. Resolutions had been carried in that house, of such a nature, as would make a dissolution, under these circumstances, unadvisable. But exclusive of these, gentlemen might recollect, that the answer mentioned the necessity of providing for the government of India, the public credit, and other important concerns; and as nothing decisive had been done to any one of these great objects, it was more reasonable to suppose, that his Majesty would not think proper to dissolve his parliament before it had adopted any measures relative to the great points for which it had been assembled. However, he was sure that notwithstanding the forced construction which gentlemen were now desirous to put upon his Majesty's words, they did not seem at first to conceive that they were at all expressive of the meaning which they were now going to give them; for however gentlemen might accommodate their sentiments to the turn of circumstances, he would appeal to the feelings of the house, to the honour of the gentlemen who supported the resolution, whether this appeared to be their opinion on the first production of the answer. The measures they adopted to prevent a dissolution, the tenor of their speeches, the anxiety they shewed in the apprehension of its taking place, plainly evinced the contrary: what recent event then could be supposed to have induced them to adopt this different opinion, and make it the basis of so indefinite a resolution? When the answer recommended the consideration of certain objects, did gentlemen imagine that whatever circumstances might intervene, while they were in contemplation, his Majesty meant to restrain himself from the exercise of his prerogative? In pursuance of the considerations proposed in the address to the throne, a bill was submitted to their consideration, free from those exceptionable properties of a former bill, and calculated to meet the wishes of all parties, and to be acceptable to the other branches of the legislature. But that spirit of opposition which applies more to men than to measures, caused it to be rejected. What then was

likely to be the fate of the bill which the honourable gentleman* opposite him intended to introduce, retaining the same spirit, the same principles as the former, though perhaps altered in a few clauses? Surely he did not imagine the upper house possessed such a pliability of disposition, such a mutability in sentiment, as to approve at once what they so lately condemned.

Hethen remarked, that gentlemen laid hold of the words "convenient speed," to illustrate the propriety of their interpretation: he acknowledged that affairs were so critically situated, so greatly embarrassed, that no time should be lost in arranging and disposing them in order. But the proceedings of the house for some time past, promised little in the way of expedition: personal objects seemed more to direct their operations: there was a delicacy in the subject, wherein the highest person in the state was so immediately concerned, which was obvious to every one, and he was sorry to find so little attended to. The resolution, on the whole, was precipitate and indefinite, as neither the structure of the words, nor the design of the answer, could give a sanction to an opinion that his Majesty had engaged himself to suspend the exercise of his prerogative, while any one measure, that any member should propose relative to the great points recommended from the throne, remained unsettled: however, the very distracted state of the country at the present juncture, had, in his opinion, rendered such a measure totally inexpedient, and he, in his ministerial capacity, could make this declaration, "that he would not advise his Majesty to prevent the proceedings of this house, either by prorogation or dissolution."

Mr. Fox, professing himself entirely satisfied, by this declaration of Mr. Pitt's, as to a dissolution of parliament, proceeded to arraign in very severe terms the right honourable gentleman's conduct in continuing in office after he had lost that indispensable requisite to every ministry, the confidence of the people. Are we to be told, said he, that the opinions, the most solemn resolutions of this house are to be considered as trifles in the eye of one of its own members? Or will the gentleman openly avow, what his conduct so sufficiently manifests, that he considers himself superior to this House?—that a situation

*Mr. Fox.

he stole into by intrigue, private whispers, and springing the mine of secret influence, shall support him against the positive answer of the House of Commons? Shall he think to erect the banner of secret influence here, in opposition to public confidence? or that he can continue, what I am obliged now to call him, the unconstitutional Minister of the Crown, against the voice of parliament and the spirit of the constitution?

Mr. PITT replied that he had not touched on the subject to which the honourable gentleman directed the principal part of his attention, not expecting it would be introduced into the debate. He had reserved himself for the committee on the state of the nation, when he intended to say something on that head. However he thought it his duty to reply, in order to state the reasons for his continuance in office. He observed, that he came into office to fulfil the duty he owed his Majesty, whose confidence he had not forfeited by any attempt to introduce any new power unknown to the constitution; and though he always would pay the most profound respect to the decisions of that honourable house, he did not know but he might incur the censure of the right honourable gentleman opposite him, by observing, that as the constitution vested in his Majesty the power of chusing his own ministers, deciding on the propriety of that choice did not fall properly within the province of the house of commons: he was sorry to find the determinations of that house had not lately been marked with all the attention that one might have imagined they would have paid to this constitutional doctrine. It was certainly severe to condemn the conduct of an administration before the charges against them were proved and established. In this instance he could not but consider himself very much aggrieved: untried, unconnected, he lay under the censure of a resolution of the house; but he had at least the consolation to reflect, that in proportion as he and his colleagues were more tried, and more known, in the same proportion were they more approved, and more established in the favour and confidence of the house, and of the people, with whom they every day rose in esteem and approbation. The reduction of that great majority whereby the gentlemen in opposition carried their first question,

into the trifling one by which their last resolutions passed, must convince them of the decline of their cause. The charge of his considering himself superior to the house, he said, could have no other foundation than absurdity, except indeed to think differently from a majority of that house, might bear that construction; and if so, it was an imputation to which that honourable member had frequently been subject. He considered the resolutions of the house by no means binding on the principles of an individual; the very bulwark of our constitution was freedom of acting, and freedom of speaking; the control then of parliament could not affect the free principles of acting, whereby liberty is to be prized.

Were he disposed to act as the gentlemen would wish him to do, his duty would prevent him. For what purpose should the present arrangement give way? The answer was obvious—to make room for the introduction of a set of persons, who were lately dismissed for a conduct which lost them the confidence of their sovereign, as well as that of the people. To look around, and view the consequences of a resignation, he could see nothing that would not deter him from so ruinous a conduct: where could another arrangement be found, more likely to give satisfaction? This led him to advert to a wish very generally and very warmly expressed, of forming an union which might give stability to government, and reconcile all parties; to such a measure he professed himself by no means an enemy, provided it could be established on such a broad and liberal basis as would meet the wishes of that respectable and independent set of men, by whose support and countenance he had invariably been honoured; but in accomplishing this object, he said, all personal prejudices and private views, pride and punctilio, should be laid aside, and a stable government and solid union be alone sought for. The honourable gentleman, in treating on this subject, had insisted, as a preliminary, on the entire resignation of office on the part of the present administration; but though he possessed an employment of eminence, it was not one of choice, and he trusted, whenever a favourable opportunity offered, he should prove himself not to be tenacious

of power, or desirous to cling to office, but that he acted from patriotic, not private considerations; his duty obliged him to preserve his situation till another arrangement should be formed, and not suffer the nation to remain in that state of anarchy which it experienced on a former and somewhat similar occasion. If gentlemen wished to treat on fair and public principles, let them lay aside the trifles of etiquette and ceremony, which could answer no solid purpose; let them proceed on terms of candour, by which alone an union might be formed on a permanent and firm foundation, which could alone preserve this country, while ruin and misery must be the inevitable consequences of division.

The question was agreed to without a division.

January 29, 1784.

THE order of the day for resuming the committee on the State of the Nation, was, on the motion of Mr. Fox, adjourned till Monday. In reply to Mr. Fox's observations, which severely inveighed against ministers retaining for their situations in direct opposition to the sense of the House,

Mr. PITT declared he did not rise to oppose the motion of the right honourable gentleman, but was called up in very express terms to state his objections to the mode of arraignment thus constantly adopted by those on the opposite side of the house. Against all that very high language thus personally addressed to him, he would only oppose his simple assertion, as he should affect no more argument on one side than was used on the other. Indeed he doubted not, the house would think with him, that such a torrent of criminating assertions could not by any facts whatever be established. He was conscious to himself no part of his public life or official conduct stood in the least need of any apology.

The delicacy of his present situation required discretion. He was determined to sustain it with as much firmness and decency as he could. This resolution was the result of deliberation:

and no invective or aspersion which the right honourable gentleman could throw out should divert him from that sort of behaviour he had already pursued; he could only act as his own judgment directed him. This direction he trusted would not lead him into any very palpable mistake; and while he retained a confidence of this kind, it was in vain to expect he would be the dupe of any other.

The right honourable gentleman, in saying they did not possess the requisites of a legal administration, was wrong, as they certainly had every formality which belonged to them as the servants of the public. These epithets, so well calculated to throw an odium on them, were therefore improperly applied; for whatever the right honourable gentlemen might think of a majority, he would not allow that, in every case, a majority was to prescribe what in such and such circumstances it was proper for ministry to do. He did not believe there was a power in the house of commons for the control of the prerogative. He rather thought every branch of the legislature was instituted to secure the legal and constitutional exercise of the other. He hoped, therefore, that it would never be contended, that the sovereign, in creating peers, or chasing his ministers, must first ask leave of the house.

The right honourable gentleman had said too, that there was now no government in the country; an allegation to which he would give an open and avowed negative. What! Were ministers of no use but to attend their duty in parliament? Was there no official business to transact of a public and national description without the walls of the house of commons? And whether these measures or schemes which depended on the assistance and concurrence of parliament, were or were not suspended, undoubtedly other matters however inferior they might be thought, came under their inspection and control.

He wished, however, the right honourable gentleman would speak out. If his Majesty's ministers were as criminal as he would insinuate, there were only two ways of rendering them amenable to their country—by criminating their conduct, or turning them out of place or power. Why does not the right

honourable gentleman come boldly forward, and do one or other of these? The charge of disturbing the tranquillity of the country, or impeding public business, he considered as invidious and groundless. This he might retort, but he would not adopt the language of recrimination.

The throne was still as accessible as ever, and would still listen to the voice of reason and necessity. But it was as futile as it was improper to be coming down from time to time to the house, sounding the minds of gentlemen, and exciting them to opposition against a ministry whom they had it so much in their power to remove. It would be more manly as well as candid, to come at once to some specific charge, and decide the fate of a ministry thus obnoxious and uncomplying.

As for his own part, he regarded all threatenings of that sort with great indifference. The right honourable gentleman had undoubtedly exerted his utmost to paint his conduct in the worst light; but still he was willing to stand forth in his own vindication. Nothing could be imputed to him for which he had any reason to be ashamed. His heart, his principles, his hands were pure: and while he enjoyed the conscious satisfaction of his own mind, no language of the right honourable gentleman, no clamour, no artifice of party, no unfounded imputations, should affect him. He had already stated his conduct fairly and explicitly to the house. He hoped it was not necessary to repeat his former declarations. By these reasons he wished to abide, and he trusted the house would not dissent from him in presuming that the motives which he assigned for whatever might seem peculiar in his situation, were not frivolous, but satisfactory.

February 2, 1784.

As soon as the House assembled, Mr. Grosvenor, in a prefatory speech, pointing out the mischievous consequences likely to result from the continuance of those party dissensions which still prevailed, and so much divided the attention and confidence of parliament, moved, "That it is the opinion

of this House, that the present arduous and critical situation of public affairs requires the exertion of a firm, efficient, extended, united Administration, entitled to the confidence of the people, and such as may have a tendency to put an end to the unfortunate divisions and distractions of this country."

This resolution, after a short discussion, was agreed to.

Mr. Coke then moved, "That it is the opinion of this House, that the continuance of the present ministers in power, after the resolution of this House, is an obstacle to a firm, efficient, extended, and united Administration, which can alone save this country."

After Mr. Dundas and some other members had spoken against the motion, and Mr. Fox and Mr. Powys in support of it,

Mr. Pitt rose,

He said, though he certainly should be glad to have the resolutions already upon the journals reconsidered with a view to their being rescinded, he could not content himself with moving the previous question upon the present motion, but thought himself bound to give it his direct negative. The right honourable gentleman* opposite to him had talked of his having been insulted and provoked to warm language by the argument of his honourable and learned friend†; how much more reason had *he* to feel himself insulted and provoked, not only by what had passed that day, but on several former days, in which resolutions, personal to him, had been moved! His learned friend's argument that day, as his argument always did, had appeared to him by no means calculated to provoke ill-humour or indignation; but, on the contrary, was a plain, direct, and, as he felt it, a convincing argument of the impropriety of the house's coming to any such motion as that before them, with a view to enforce the effect of the motion the house had that day voted nearly unanimously. He had himself, during the whole series of extraordinary debates that had lately taken place, endeavoured to avoid being caught by the violence of their proceedings, and had preserved as calm and governed a temper as the nature of the case would admit. Had he not done so, the circumstances that had occurred would have been a sufficient justification. The house had been led on insidiously, and step by step as

* Mr. Fox.

† Mr. Dundas.

it were, from one resolution to another, without a fair discussion of any one of them on its own proper merits. The first resolutions, the house would recollect, had been passed at the unusual hour of six in the morning, and with little or no debate. The second in a manner grew out of the first, and that was immediately followed by a third. It was true, the substance of those resolutions was made the subject of discussion at a fitter time of the day afterwards—a circumstance in which he felt considerable satisfaction, and had at the time expressed himself gratified at it. But how had that question ever been debated? Not upon its own proper merits; so far from it, the right honourable gentleman opposite to him had desired the house to consider it as a corollary to the preceding resolutions, and had told them, that, as such, having voted the former resolutions, they were bound to vote that as a matter of course. Thus artfully had the house been kept from examining any one of the various questions that had been brought forward singly, and had been insidiously led on from one to another, without knowing whither they were to be led, or at what degree of violence they were to be permitted to stop. He begged them, however, to consider the present question as it really was, and to ask themselves, if it were at all likely to further the purpose of the motion that had been voted that day? For his part, so far from its having such tendency, he could consider it no otherwise than as an effectual bar to the union so much desired by the respectable and independent gentlemen, who had called for such a measure, and had exerted themselves in so laudable a manner to bring it about. The honourable gentleman * who spoke last, had declared his disapprobation of the resolutions on the journals; and had nevertheless said, unless the previous question was moved, he must vote for the present motion. This was a declaration which Mr. Pitt declared he could by no means reconcile. On the contrary, those who disapproved of the first resolutions, he thought were in consistency bound to resist the conclusion which the present

* Mr. Powys.

tended to establish as the natural consequence arising from them.

Having put this very pointedly, and contended that the former resolutions were not founded in any facts that had been proved, nor in any charge that had been substantiated, he urged the bad effects that would result from voting the motion then under consideration. The honourable gentleman who spoke last, had talked of the fortress in which he was situated, and had declared, that he did not wish him to march out of it with a halter about his neck—The only fortress he knew of or ever desired to have a share in defending, was the fortress of the constitution. For that he would resist every attack, and every attempt to seduce him out of it that could be made. With what regard to personal honour or public principle, could it be expected that he should consent to march out of it with a halter about his neck, change his armour, and meanly beg to be re-admitted and considered as a volunteer in the army of the enemy? To put himself into such a predicament, and to trust to the foe to loosen and take off from his neck the halter that he was expected to march out with, was a degree of humiliation to which he never would condescend; and he spoke not merely for himself, but for much greater men, with whom he acted, and whose sentiments upon the subject he was persuaded he delivered distinctly.

After descanting on these points, he said, wishing as he did, to meet the desires of the respectable and independent gentlemen by acceding to an union upon principle, he had done every thing in his power to facilitate such a measure: the sacrifice of the sentiments of men of honour was no light matter; and when it was considered, how much was to be given up in order to open a negociation for union, when it was considered what insulting attacks had been made and what clamours had been excited, he conceived some regard ought to be paid to his being willing to meet the wishes of those respectable individuals who had called for an union of parties. To accomplish that object was a matter greatly to be desired, and for that, and for that alone, was he ready to submit to the irksome sensations, which, after what had

passed, must necessarily be supposed to be felt by him in acceding to the proposition. With regard, however, to the resignation of ministers, he saw no reason for it.—If that house insisted upon their going out, there were two constitutional means open to them, either by impeachment to proceed against them for their crimes, if they had committed any, or by an immediate address to the crown to desire their removal. The removal of ministers lay with the crown, and not with that house; in remaining in office, therefore, with a view to keep the country free from anarchy and confusion, and to prevent the government from falling a prey to that administration which had been removed, by suffering them to force themselves upon the Sovereign against his will, was neither illegal nor unconstitutional. Mr. Pitt enlarged on these ideas, and repeated it, that the present administration not having resigned, because they had not the support of that house, was by no means contrary to law or the constitution.

The House divided on Mr. Coke's resolution,

Ayes 223

Noes 204

Majority against ministers .. 19 *

* A motion was made the following day, and carried, upon a division, "That the said resolutions be humbly laid before his Majesty by such members of this House as are of his Majesty's most honourable Privy Council."

February 18, 1784.

Mr. PITT, on the meeting of the House, immediately rose to state, that, previous to any discussion on the subject of the supplies, he thought it necessary to inform the House, that his Majesty had not yet, in compliance with their resolutions, [of the 2d instant] thought proper to dismiss his present ministers; and that his Majesty's ministers had not resigned.

This intimation produced a long and earnest debate; in which Mr. Fox, after expressing his utmost astonishment at the declaration of the Chancellor of the Exchequer, concluded with moving an adjournment.

MR. PITT said, he found himself called upon to say a few words on the very extraordinary speech which had been just delivered by the right honourable gentleman* opposite to him. A great part of what had been said was evidently founded in a misconception of what he had stated previous to the debate. He was in the recollection of the house, and would appeal to all who heard him, whether he had stated what he said, as a message from his Majesty. The truth was, that he had not signified any immediate communication with the throne on the subject; and in order to put the matter out of doubt, he would repeat his words, and leave the house to judge of their accuracy: "That his Majesty had not thought proper to dismiss his ministers, in obedience to the resolutions of the house, and that his ministers had not resigned." This declaration he stood pledged to make previous to the present discussion, and he thought it his duty to state what he had done; but he little apprehended such a use could have been made of it. He had meant it only as an intimation of the present situation of ministry, that they were precisely in the same predicament that had produced the resolutions which had been submitted to the consideration of his Majesty. The right honourable gentleman, however, had, with his usual eloquence and ingenuity, laboured this as a direct answer from the throne. He, for his own part, wished as much to bring the question to an issue as the right honourable gentleman affected to dread it.

An attempt was made to colour the putting off of the supplies, as if it was only the pause of a moment, and that this pause was occasioned by a circumstance which the house had not foreseen, and which put the house, the country, and public affairs, in quite a new situation. Allowing all this to be true, which he would not allow but for the sake of argument, how could such an explanation of things put a dispute on facts which the least discerning might see through? The supplies were to all intents and purposes stopped. The right honourable gentleman affects to call it postponing, but he trusted the people of this country would see

* Mr. Fox.

that the trick attempted to be put upon them and on this house, was too shallow to have effect. It could not, he was well persuaded, succeed against the good sense of the people of this country. But why would not gentlemen come openly and plainly forward? He was sure no man would doubt that he allowed the right to the house of commons of withholding the supplies, whenever the circumstances of the case would justify such a measure; but he was in hopes no man would say the present was a crisis of that kind. The right honourable gentleman, conscious of the fact, was very prudently and consistently averse to push the question. It was then only that the conduct of his Majesty's ministers could be fully investigated. It was on this ground, and for this end, he would urge the going into that question; and he challenged those on the other side to meet it fairly, openly, and without disguise or subterfuge. For in this discussion, the different motives of the contending parties would be obvious; and he would say with the utmost confidence and sincerity, that it was a decision he could urge, and for which he was anxious, as he knew from the temper and principles of the house, they would be shy indeed, in the present state of the country, to withhold those supplies on which the harmony and energy of government depended, and for which the national faith was pledged.

Many of the right honourable gentleman's arguments had been addressed personally to him, but with what propriety gentlemen of feeling and delicacy would judge. There were points in personal honour which no man of spirit could for any object whatever forego; and whatever were his connections or attachments, he hoped never to forfeit feelings, without which he could not retain consistently any opinion of himself. He would therefore declare once for all, that he considered his personal honour deeply and inseparably concerned in the present situation which he held, and that he would not on any account, or by any means, first resign, and then stoop to negotiate; that was, leave his place in order to make part of a new administration. What! would he tell the world by such a step as this that he was ca-

pable of sacrificing any thing to the love of situation ! No. It did not become him to trifle in this manner either with his own character, or his Majesty's confidence. But, "at present he held a connection with persons who contaminated him." Would this be any where else believed ? And what was the meaning of all those personalities so repeatedly pointed to him, but that he should relinquish one set of men in whom he trusted, and knew he could trust with safety, for another,—that he should begin to serve his country by doing a private injury to those whom he could not but regard with admiration,—that he should be obliged for a paltry share in office to sacrifice his personal feelings, and treat those, with whom he had been long in habits of intimacy and esteem, with a neglect which bordered on perfidy ? He was convinced the house, and the public did not expect him to be capable of purchasing the honour of office at so dear a rate. These were his ultimate sentiments on a subject about which he had been much pressed, and he hoped they would be considered as final.

The question of adjournment was carried,

Ayes 208

Noes 196

February 20, 1784.

Mr. Powys, after adverting to certain resolutions passed by the House for the removal of his Majesty's ministers, which, however, his Majesty had not thought proper to comply with, moved "That this House, impressed with the most dutiful sense of his Majesty's paternal regard for the welfare of his people, relies on his Majesty's royal wisdom, that he will take such measures as may tend to give effect to the wishes of his faithful Commons, which have already been most humbly represented to his Majesty."—To which was afterwards added, on the suggestion of Mr. Eden, "by removing any obstacle to forming such an administration as the House has declared to be requisite in the present critical and arduous situation of affairs."

Mr. Pitt rose the moment Mr. Fox sat down, and spoke in substance as follows :

The right honourable gentleman, * Sir, has gone through so vast an expanse of matter, he has embarked the house in so wide an ocean of politics, that it is impossible for me to follow him through the whole course of his speech. I beg leave, however, while both the house and myself are fresh in the recollection of it, to press upon them again what the right honourable gentleman himself, at the close of his speech, has this day at last been driven to confess, though I had long laboured, and, as I began to fear, had laboured in vain, to convince him of it; namely, that if the right honourable gentleman and the noble lord in the blue ribbon should regain their situation, should expel all his Majesty's present ministers, and resume their old measures, their restoration would not ensure the restoration of peace, of happiness, and of content to this distracted country. The right honourable gentleman now confesses it; and yet, Sir, he ought also to confess, and to know and feel, that his present measures do most directly tend to the re-establishment of that coalition, to the certain exclusion of his Majesty's present ministers, and to that very calamity which he himself now begins to dread, and with the dread of which, I had so strenuously endeavoured to inspire the house. Procrastination is now become his plan. I wish not to be understood as calling out for violent measures; but this I will say, that merely to temporise is no man's duty at the present moment. If, therefore, every violence is intended against this administration, let us not keep the country in suspense, but let us advance like men to the issue of this contest: the present question is weak and feeble, compared with those which have gone before it; and I dare say, therefore, every gentleman must expect that it will be without effect.

The right honourable gentleman, Sir, has appeared to-night in a character perfectly new to him, but which he has supported (as, indeed, he supports every one of his characters) with wonderful dexterity: he is to-night the champion of the majority of this house against the voice of the people. Imposture was the word used by his learned friend; the right honourable gentleman

* Mr. Fox.

improves upon the idea, and tells you that imposture was a word used merely by way of civility ; it is by way of complimenting the people of England, that the right honourable gentleman says their opinions are founded in imposture ; and then, by way of libelling these addresses, and of libelling this reign, he recalls to your mind the addresses offered in the infamous reign of King Charles the Second, affecting to furnish the house with a case somewhat in point, and warning them not to trust at all to the most unanimous addresses of the people of England, by summarily mentioning those which were offered to that monarch, requesting the crown to take into its hands and protection the several charters of this country. Sir, I beg these allusions may not pass off unexplained : the case was this—After many cruel and scandalous decisions in the courts against chartered companies, in a fit of desperation, the several corporations offered their charters to the crown, as the only protection against this tyranny ; and shall I hear this cited by way of libelling addresses of the people at this time ? I believe in truth, Sir, the right honourable gentleman is surprised and exasperated at the manly spirit of the people in these times, who will not wait till their charters are prostituted to the purposes of ministers, and then seek relief by yielding them to the crown ; but who boldly resist the violation in the first instance, and who are as hardy in their resistance, as the right honourable gentleman has been in his attack.

But, says the right honourable gentleman, how should the people understand the India bill ? Do they know all the abuses in India ? True, Sir, the people may not have read all your voluminous reports, neither, perhaps, have one half of the members of this house read them : but, Sir, they know that no abuses in India—that the very loss of India—that the annihilation of India, could not compensate for the ruin of this constitution. The plain sense of this country could see that objection to the India bill, which I could never persuade the right honourable gentleman to advert to : they could see, that it raised up a new power in this constitution, that it stripped at once the crown of its

prerogative, and the people of their chartered rights, and that it created that right honourable gentleman to be the dictator of his king and his country. But, Sir, the right honourable gentleman ventures still to deny that the addresses have sufficiently marked what is the opinion of the people; and then he talks of battles at Reading, of battles at Hackney, and battles at Westminster. At Reading, Sir, I understand, there was no battle; the county addressed unanimously against the opinion and in the face of its members, although the honourable member * assures you how he exerted his oratory to deprecate the address. As for Hackney, I behold over against me a most valiant chieftain, † who is just returned from that field of Mars, whose brow, indeed, is not, as before, adorned with the smile of victory, but from whose mouth I doubt not we shall hear a faithful, although, alas! Sir, a most lamentable history of that unfortunate flight and defeat. Whether at Westminster it is sufficient proof of victory to say, "The people would not even hear me;" whether that right honourable gentleman, who once could charm the multitude into dumb admiration of his eloquence, and into silent gratitude for his exertions in the cause of freedom, and of his country; whether he, the champion of the people, once emphatically named the "man of the people," is now content with the execrations of those multitudes, who once, perhaps, too much adored him; whether, in short, Sir, the sonorous voice of my noble friend was a host itself, or whether it might not have become a host by being joined to the voices of the host around him; all these are points I will not decide: but sure I am, that the right honourable gentleman will not persuade me that the voice of the people is with him, if Westminster is his only example. There is one thing the right honourable gentleman proves merely by strong affirmations, to which, therefore, I can only oppose affirmations as strong on my part: he says, his late majorities have been composed of men the most independent in their principles, respectable in their situations, and honourable

* Major Hartley.

† Mr. Byng.

for their connections ; I can only affirm as roundly in answer, that the minority is by no means inferior to them, in point either of principles, of respectability, or of independence. Having thus disposed of the people and of the minority in the house of commons, large as it certainly is, the right honourable gentleman proceeds next to dispose of the majority in the house of lords, and he denies that they were respectable. Sir, if the right honourable gentleman will trouble himself with this kind of calculation, I am not afraid to match the majority there against the minority, either on the score of independence, of property, of long hereditary honours, of knowledge of the law and the constitution, or on the score of any thing that can give respect and dignity to peerage. And, Mr. Speaker, when I look near me, [looking at Mr. Pratt] when I see near whom I am now standing, I am not afraid to place in the front of that battle, (for at that battle the noble peer whom I allude to, was not afraid to buckle on his old armour, and march forth, as if inspired with his youthful vigour, to the charge) I say, Sir, I am not afraid to place foremost, at the head and in the very front of that battle, that noble and illustrious peer, (Lord Camden) venerable as he is for his years, venerable for his abilities, adored and venerated through this country on account of his veneration for this glorious constitution, high in rank and honour, and possessing, as he does, in these tumultuous times, an equanimity and dignity of mind that render him infinitely superior to that wretched party spirit, with which the world may fancy us to be infected.—

But, Sir, I am carried away too far; my warm admiration of the subject has hurried me into expressions, perhaps, not perfectly becoming the strictness of this debate. The point which I should particularly speak to, and the great subject of contention between us, is, whether I shall resign, in order afterwards to return into office ; and the example of the noble lord in the blue ribbon is held out for my imitation ; for he, it is said, is willing to sacrifice his personal pretensions for the sake of unanimity. Good God ! Mr. Speaker, can any thing that

I have said, subject me to be branded with the imputation of preferring my personal situation to the public happiness? Sir, I have declared again and again, Only prove to me that there is any reasonable hope, shew me but the most distant prospect, that my resignation will at all contribute to restore peace and happiness to the country, and I will instantly resign. But, Sir, I declare at the same time, I will not be induced to resign as a preliminary to negociation. I will not abandon this situation, in order to throw myself upon the mercy of that right honourable gentleman. He calls me now a mere nominal minister, the mere puppet of secret influence. Sir, it is because I will not become a mere nominal minister of his creation; it is because I disdain to become the puppet of that right honourable gentleman, that I will not resign: neither shall his contemptuous expressions provoke me to resignation: my own honour and reputation I never will resign. That I am now standing on the rotten ground of secret influence, I will not allow; nor yet will I quit this ground, in order to put myself, as the right honourable gentleman calls it, under his protection, in order to accept of my nomination at his hands, and in order to become a poor self-condemned, helpless, unprofitable minister in his train—a minister, perhaps some way serviceable to that right honourable gentleman, but totally unserviceable to my king and to my country. If I have, indeed, submitted to become the puppet and minion of the crown, why should that right honourable gentleman condescend to receive me into his hand? It seems, however, that I have too much of the personal confidence of my Sovereign, and that I must resign; in order to return into administration, having only an equal share of it with others. But the right honourable gentleman knows that my appointment would, in that case, be only as a “piece of parchment.” Admit that I have more than my share of the king’s confidence, yet how is my being out of office two days to make any diminution of that confidence? The right honourable gentleman, therefore, every moment contradicts his own principles, and he knows that if I were first to resign, in the forlorn hope of returning as an efficient

minister into administration, I should become the mere sport and ridicule of my opponents; nay, and forfeit also the good opinion of those, by whose independent support I am now honoured: for when I shall have sacrificed my reputation for that support which I am told shall arise to me from that right honourable gentleman's protection, when I shall have bartered my honour for his great connections, what shall I become but the slave of his connections? the sport and tool of a party? for a while, perhaps, the minister appointed by that party, but no longer useful to my country, or myself independent.

The right honourable gentleman tells you, Sir, that he means not to stop the supplies again to-night, but that he shall only postpone them occasionally. He has stopped them once, because the king did not listen to the voice of his commons, he now ceases to stop them though the same cause does not cease to exist. Now, Sir, what is all this but a mere useless bravado?—a bravado calculated to alarm the country, but totally ineffectual for the object for which it was intended. I grant, indeed, with him, that if all the money destined to pay the public creditors is voted, one great part of the mischief is avoided. But, Sir, let not this house think it a small thing to stop the money for all public services; let us not think that, while such prodigious sums of money flow into the public coffers, without being suffered to flow out again, the circulation of wealth in the country will not be stopped, nor the public credit affected. It has been said indeed, “how is it possible that parliament should trust public money in the hands of those, in whom they have expressly declared they cannot confide?” Is there any thing then in my character so flagitious; am I, the chief minister of the Treasury, so suspected of alienating the public money to my own, or to any sinister purposes, that I am not to be trusted with the ordinary issues? [a cry of “No! no!”—Why then, Sir, if they renounce the imputation, let them renounce the argument. By what I am now going to say, perhaps I may subject myself to the invidious imputation of being the minister and friend of prerogative; but, Sir, notwithstanding those

terms of obloquy with which I am assailed, I will not shrink from avowing myself the friend of the king's just prerogative. Prerogative, Sir, has been justly called a part of the rights of the people, and sure I am it is a part of their rights, which the people were never more disposed to defend, of which they never were more jealous than at this hour. Grant only this, that this house has a negative in the appointment of ministers, and you transplant the executive power into this house. Sir, I shall call upon gentlemen to speak out; let them not come to resolution after resolution, without stating the grounds on which they act; for there is nothing more dangerous among mixed powers, than that one branch of the legislature should attack another by means of hints and auxiliary arguments, urged only in debate, without daring to avow the direct grounds on which they go, and without stating in plain terms on the face of their resolutions, what are their motives, and what are their principles which lead them to come to such resolutions. Above all, Sir, let this house beware of suffering any individual to involve his own cause, and to interweave his own interests in the resolutions of the house of commons. The dignity of the house is for ever appealed to: let us beware that it is not the dignity of any set of men: let us beware that personal prejudices have no share in deciding these great constitutional questions. The right honourable gentleman is possessed of those enchanting arts whereby he can give grace to deformity; he holds before your eyes a beautiful and delusive image; he pushes it forward to your observation; but as sure as you embrace it, the pleasing vision will vanish, and this fair phantom of liberty will be succeeded by anarchy, confusion, and ruin to the constitution. For in truth, Sir, if the constitutional independence of the crown is thus reduced to the very verge of annihilation, where is the boasted equipoise of the constitution? Where is that balance among the three branches of the legislature which our ancestors have measured out to each with so much precision? Where is the independence—nay where is even the safety of any one prerogative of the crown, or even of the crown itself, if its prerogative of naming ministers is to

be usurped by this house, or if, (which is precisely the same thing) its nomination of them is to be negatived by us without stating any one ground of distrust in the men, and without suffering ourselves to have any experience of their measures? Dreadful, therefore, as the conflict is, my conscience, my duty, my fixed regard for the constitution of our ancestors, maintain me still in this arduous situation. It is not any proud contempt, or defiance of the constitutional resolutions of this house; it is no personal point of honour; much less is it any lust of power that makes me still cling to office: the situation of the times requires of me, and I will add, the country calls aloud to me, that I should defend this castle; and I am determined, therefore, I WILL defend it.

The question was carried,

Ayes 197

Noes 177

An Address to the King in the words of the resolution was then moved by Mr. Fox, and, after a second division, was carried, and ordered to be presented to the Throne by the whole House.

March 1, 1784.

THE order of the day being read for taking into consideration his Majesty's answer* to the Address of the House for the removal of ministers, Mr. Fox,

* His Majesty, in his answer, after assuring the House of his earnest desire to put an end to the divisions and distractions of the country, proceeds thus:—

“I shall be always desirous of taking every step most conducive to such an object; but I cannot see that it would in any degree be advanced by the dismissal of those at present in my service.

“I observe, at the same time, that there is no charge or complaint suggested against my present ministers, nor is any one or more of them specifically objected to; and numbers of my subjects have expressed to me in the warmest manner their satisfaction at the late changes I have made in my councils. Under these circumstances, I trust my faithful Commons will not wish that the essential offices of executive government shall be vacated, until I see a prospect that such a plan of union as I have called for, and they pointed out, may be carried into effect.”

after expressing his dissatisfaction at the language that had been used from the Throne, concluded with moving,

“That an humble Address be presented to his Majesty, most humbly to represent to his Majesty the satisfaction his faithful Commons derive from the late most gracious assurances they have received, that his Majesty concurs with them in opinion, that it concerns the honour of his crown and the welfare of his people that the public affairs should be conducted by a firm, efficient, extended, united administration, entitled to the confidence of his people, and such as may have a tendency to put an end to the unhappy divisions and distractions of this country. To acknowledge his Majesty’s paternal goodness, in his late most gracious endeavours to give effect to the object of our late dutiful representation to his Majesty. To lament that the failure of these his Majesty’s most gracious endeavours should be considered as a final bar to the accomplishment of so salutary and desirable a purpose; and to express our concern and disappointment, that his Majesty has not been advised to take any further step towards uniting in the public service those whose joint efforts have recently appeared to his Majesty most capable of producing so happy an effect. That this House, with all humility, claims it as its right, and on every proper occasion feels it to be their bounden duty to advise his Majesty touching the exercise of any branch of his royal prerogative. That we submit it to his Majesty’s royal consideration, that the continuance of an administration, which does not possess the confidence of the representatives of the people, must be injurious to the public service. That this House can have no interest distinct and separate from that of their constituents, and that they therefore feel themselves called upon to repeat those loyal and dutiful assurances they have already expressed of their reliance on his Majesty’s paternal regard for the welfare of his people, that his Majesty would graciously enable them to execute those important trusts which the constitution has vested in them, with honour to themselves and advantage to the public, by the confirmation of a new administration, appointed under circumstances which may tend to conciliate the minds of his faithful Commons, and give energy and stability to his Majesty’s councils. That as his Majesty’s faithful Commons, upon the maturest deliberations, cannot but consider the continuance of the present ministers as an unwarrantable obstacle to his Majesty’s most gracious purpose, to comply with their wishes in the formation of such an administration as his Majesty, in concurrence with the unanimous resolutions of this House, seems to think requisite in the present exigencies of the country, they feel themselves bound to remain firm in the wish expressed to his Majesty in their late humble address, and do therefore find themselves obliged again to beseech his Majesty, that he would be graciously pleased to lay the foundation of a strong and stable government, by the previous removal of his present ministers.”

Mr. PITT declared that he wished to avoid, as much as possible all those repetitions of argument which had become so frequent, and had mingled themselves of late so much in the progress of debate. He wished to confine himself to what he considered the point in question, and to deliver his sentiments on this subject with as much conciseness as lay in his power, that those who speak might not be deprived of an opportunity of giving their opinions, and that those who hear might not be tired by a fatiguing and disagreeable reiteration of beaten themes and of hacknied arguments. It had been insinuated by an honourable member,* and some others, that he was averse to union. He could by no means admit this assertion—Had he not on many occasions given the strongest evidence of his predilection for the principle? Had he not expressed these attachments repeatedly in the course of his speaking on the subject? It was his wish to erect a strong government. It was his desire to contribute all in his power to the formation and support of so desirable a system. He was therefore ready to express his sentiments of reprobation against those who opposed union, as he considered this measure as necessarily connected with the interests and the happiness of the public. But whilst he emitted these strong and decided sentiments in favour of union, he by no means thought that this desirable object would be brought nearer by the address under consideration, nor could at all be forwarded by the resignation of ministers. On this point he had already given his sentiments. Those sentiments he had seen no reason to alter. He was equally struck at another assertion of the honourable general—It had been affirmed that the words of one side of the house aimed at the annihilation of its privileges. Good God! how could such ideas be formed or entertained? Had he in any part of his conduct or of his past procedure, manifested any peculiar predilection in favour of monarchy, or of the undue influence of the crown? Had he, during the progress of his parliamentary conduct wished to encroach on, or to de-

* General Conway.

stroy, the privileges of parliament? The constitution and the rights of the house of commons he had always been taught to venerate. He would therefore appeal to the candour of the house, to its recollection of his expressions on this subject, whether he had not, on all occasions and under every description of circumstances, maintained its privileges and its dignity. His opinions, his partialities, and his views favoured those ideas: and he must have been deluded to have acted in opposition to them. But whilst he expressed his warmest sentiments for the honour and the dignity of the house of commons, he felt himself under an obligation at the same time, to vindicate the doctrines of the honourable baronet* behind him, so far as they respected the rights of the other branches of the legislature, so far as they regarded the just and constitutional prerogatives of the sovereign. These the constitution had defined with as much accuracy as it had done those of the house of commons; and it was surely the duty of ministers, and of members of that house, equally to support the rights of both. No man was more zealous or more unreserved in admitting and asserting the right of the house to advise the sovereign in the exercise of all his prerogatives than he was. This had always been a sentiment which he had avowed; but that a declaration on the part of the house of their disapprobation of his Majesty's ministers, should, *ipso facto*, in any given instance, bind and compel the sovereign to dismiss those ministers, or oblige them to resign, was a point which he never had admitted, and would never allow. Such a sentiment of disapprobation surely placed ministers in awkward and unpleasant situations; but that it should force them to retire, he would maintain was an unconstitutional doctrine, hostile to the prerogative of the crown, and to that balance of power, on which the excellency of our government depended. This was a point, therefore, which he was always ready to maintain, and from supporting which he hoped he would never be precluded by any false theories or vague declamation respecting the dignity of the house.

* Sir William Dolben.

He alluded to the idea of a faction existing in the house, stated by his honourable friend, * and which he had asserted to be dangerous to the balance of the constitution. How far this was true, how far the conduct of the house of commons during its late procedure justified this doctrine, and how far the address under consideration confirmed its truth, ought to be weighed, and ought to produce corresponding effects on the minds and votes of the members of the house. In deliberating, however, on this point, he would caution gentlemen not to be overawed by false alarms of an encroaching prerogative, by false fears of an extended monarchy, or to be decided by the ring and sound of dignity, so incessantly poured into the ear of the house on the present and past occasion. But though he was thus the opponent of all capricious decision on the appointment of ministers, he was as unfriendly to their continuance in office when disapproved of by the house of commons on proper grounds, as by either branch of the legislature. On this account he called on the house to specify charges against administration, to prove those charges, and not capriciously to condemn an administration which had never as yet been found guilty; and had in fact, by an unaccountable obstinacy and untowardness of circumstances, been deprived of an opportunity of displaying its prudence and its zeal in the service of the public. When these accusations were proved, when these charges were substantiated, it would then be proper for ministers to resign; and if in such a case he should afterwards continue in office, he would suffer himself to be stigmatized as the champion of prerogative, and the unconstitutional supporter of the usurpations of the crown. But till this period arrived, he should reckon it his duty to adhere to the principles of the constitution, as delivered to us by our ancestors; to defend them against innovation and encroachment, and to maintain them with firmness.

Attempts have been made, said Mr. Pitt, to fix imputations of criminality on the present administration. Their sins have

* Mr. Wilberforce.

been stated: and one of the most glaring of them is, that the late ministry were dismissed against the sense of the house. But what is the meaning of this charge? To what conclusion does the argument, when followed up, lead? Does it not fairly admit of this comment, that it is improper for his Majesty to dismiss his ministers, provided they are approved of by the house of commons; and that so long as they act agreeably to its sentiment, so long, and no longer are they to enjoy the patronage of the crown, and retain the offices of administration? Is this a decent treatment of the prerogative? Is this constitutional doctrine? Is it not degrading the dignity of the sovereign? Is it not a transference of the prerogatives of the crown to the house of commons, and a placing the royal sceptre under the mace that lies upon the table? The constitution of this country is its glory. But in what a nice adjustment does its excellence consist! Equally free from the distractions of democracy, and the tyranny of monarchy, its happiness is to be found in its mixture of parts. It was this mixed government which the prudence of our ancestors devised, and which it will be our wisdom inviolably to support. They experienced all the vicissitudes and distractions of a republic. They felt all the vassalage and despotism of a simple monarchy. They abandoned both, and by blending each together, extracted a system which has been the envy and admiration of the world. It is this scheme of government which constitutes the pride of Englishmen, and which they can never relinquish but with their lives. This system, however, it is the intention of the present address to defeat and destroy. It is the intention of this address to arrogate a power which does not belong to the house of commons—to place a negative on the exercise of the prerogative, and to destroy the balance of power in the government as it was settled at the revolution.

It has been remarked by an honourable member, * that no period of our history affords an example of ministers existing

* Mr. Fox.

after an address, disapproving of them, from the house of commons. But to obviate this observation, it may be proper to ask, whether the history of this country affords any instance in which a ministry have been called on to retire from office without a cause? This is a remark which merits attention, and to which it may not be improper to direct the notice of the honourable gentleman at the present moment. On what grounds of plausibility, under what pretexts then are the supplies for the service of the public to be refused? Is it on account of the arbitrary decision of the house? Have they no confidence in the conduct of administration? I will even venture to ask the honourable gentleman whether he believes that these supplies, if granted, would be misapplied?

Mr. Pitt declared, the sentiments of the public were flattering to ministry, and the addresses which had been presented to the throne were unequivocally in favour of that administration of which the house had disapproved. He expressed his approbation of the explicitness of the present address; he hoped gentlemen would now speak out, and that they would bring their charges against ministers. He flattered himself that the honourable gentleman's manliness and candour would lead him to this, and that he would not any longer tear in pieces the character of ministers by distant but dark invective, or unsupported allegation. He cautioned the house against entertaining an idea that the present motion was calculated to promote union—it seemed rather intended to divide and drive parties at greater distance from each other. He insisted that an union, if established at all, must exist and be formed on honourable principles—without this, all coalition was a farce, and could never be permanent. Union formed on different motives could never be of long continuance—they carried in them their very principles of division, “They hold the word of promise to the ear, and break it to the sense.” He concluded with apologizing to the house for delaying them so long: thus much, however, he thought it necessary to say in support of the balance of the con-

stitution, the prerogatives of the king, and the privileges of parliament.

The question for the address was carried ;

Ayes 201

Noes 189 *

† *May 24, 1784.*

Hrs Majesty's speech† which was delivered to both Houses on the opening of the session, was this day taken into consideration.

The address was moved by Mr. Hamilton ; and an amendment upon it by the Earl of Surrey, proposing to omit so much of the address as returned his Majesty thanks for the late dissolution of Parliament.

Mr. PITT apologised for rising at so late an hour, declaring, that what had fallen in the course of the debate, made it necessary that he should say a few words. He was fully convinced of

* On the 24th of March the Parliament was prorogued, and the following day dissolved by proclamation.

† The new parliament met on the 18th instant, when Mr. Pitt took his seat as member for the University of Cambridge.

‡ *“ My Lords and Gentlemen,*

“ I HAVE the greatest satisfaction in meeting you in parliament at this time, after recurring, in so important a moment, to the sense of my people. I have a just and confident reliance, that you are animated with the same sentiments of loyalty, and the same attachment to our excellent constitution, which I have had the happiness to see so fully manifested in every part of the kingdom. The happy effects of such a disposition will, I doubt not, appear in the temper and wisdom of your deliberations, and in the dispatch of the important objects of public business which demand your attention. It will afford me peculiar pleasure to find, that the exercise of the power entrusted to me by the constitution, has been productive of consequences so beneficial to my subjects, whose interests and welfare are always nearest my heart.

“ *Gentlemen of the House of Commons,*

“ I have ordered the estimates for the current year to be laid before you ; and I trust to your zeal and affection to make such provisions for their farther supply, and for the application of the sums granted in the last parliament, as may appear to be necessary.

the importance of unanimity, and was extremely desirous of procuring it, if it could be obtained ; but he was not for purchasing a hollow unanimity, by blinking a great constitutional question, and passing over the dissolution of the last parliament, when it was so clearly established, that the measure had given the most solid satisfaction throughout the kingdom. As on the one hand, he was not willing to blink that great question, for the sake of the unanimity of an hour, so on the other, he was not afraid to state fairly how far he did conceive the present address would preclude and pledge the house, when they came hereafter to discuss the circumstance of the dissolution. If it should appear, that in the conduct of the dissolution, there had been any trifling irregularity or error, he should in that case think the present address precluded any censure for such irregularity ; but God forbid, that the address, or any thing else, should prevent any capital criminality, if criminality of that sort there should be discovered in the dissolution, from being fairly brought out, fully investigated, and if proved, punished with due severity.

“ I sincerely lament every addition to the burthens of my people ; but they will, I am persuaded, feel the necessity, after a long and expensive war, of effectually providing for the maintenance of the national faith and our public credit, so essential to the power and prosperity of the state.

“ *My Lords and Gentlemen,*

“ The alarming progress of frauds in the revenue, accompanied in so many instances with violence, will not fail on every account to excite your attention. I must, at the same time, recommend to your most serious consideration, to frame such commercial regulations as may appear immediately necessary in the present moment. The affairs of the East-India Company form an object of deliberation deeply connected with the general interests of the country. While you feel a just anxiety to provide for the good government of our possessions in that part of the world, you will, I trust, never lose sight of the effect which any measure to be adopted for that purpose may have on our own constitution, and our dearest interests at home. You will find me always desirous to concur with you in such measures as may be of lasting benefit to my people : I have no wish but to consult their prosperity, by a constant attention to every object of national concern, by an uniform adherence to the true principles of our free constitution, and by supporting and maintaining, in their just balance, the rights and privileges of every branch of the legislature.”

Having said this, he mentioned among the fortunate events that had happened, the final conclusion of the definitive treaty with the States-General. He next took notice of the various arguments that had been used in the debate, and by collecting them severally from Lord North, Mr. Adam, and Mr. Fox, and comparing the violences of one with the other, threw an air of ridicule upon the whole. He took notice of Mr. Fox's having had the firmness to avow the India bill, and still to glory in it, although he lost what he risked—his power and situation by it. He said this firmness was not sufficiently to be admired; but that Mr. Fox's declaring himself willing to bear the responsibility was a little ridiculous, because in the very next sentence he declared the responsibility to amount to nothing, as he could not be made personally responsible to any punishment for having merely proposed a bill to parliament. The only responsibility he was liable to, was the responsibility of character, and responsibility at the tribunal of the public. This sort of responsibility, Mr. Pitt observed, had already been brought to the test. The right honourable gentleman had been tried before that tribunal of the public, who had nearly unanimously found him guilty. He also adverted to what Lord North had said of the last parliament, and owned, that if any thing could be a justification of that parliament, the noble lord had stated the single merit, that would indeed serve to cover a multitude of sins, viz. that the last parliament had the virtue to put an end to his administration, and to the ruinous and calamitous war which the noble lord had brought upon the country.

He would not, he declared, at that late hour, attempt to argue the case; but leaving it under the broad shield which the noble lord had thrown over it, he would proceed to take notice of two or three observations that had fallen from the right honourable gentleman* opposite to him, and from the right honourable gentleman's learned friend† behind him, relative to that "glorious check to the career of ministers," as it was called, the Westmin-

* Mr. Fox.

† Mr. Adam.

ster election. The ingenuity of the learned gentleman had found out, that the right honourable gentleman's election was almost unanimous, although they had that day been enquiring why no return had been made, and had learnt, that many thousands voted for two other candidates. But, said the learned gentlemen, the success was wonderful, considering that the right honourable gentleman had to contend with the powers of public office, with the powers of the India Company, and with, what the learned gentlemen was pleased to term, popular phrenzy. The right honourable gentleman, said Mr. Pitt, has to lament, that he had to contend with the powers of public office, because he endeavoured to subvert government—He has to lament, that he had to contend with the East-India company, because he endeavoured to seize upon their property, and to seize upon their most sacred rights, sanctioned by charters, and secured to them by statutes; and he has to lament, that he had to contend with what is termed the popular phrenzy, because the people at large have seen and condemned his conduct. But what allies the right honourable gentleman had to fight for him are not noticed—The degree of influence used in his favour has not been observed upon, nor any respect paid to those charms, which alone can supersede every other consideration among us all, and command unanimity, when nothing else could occasion it. Having pursued this vein of mixed sarcasm and ridicule, Mr. Pitt took notice of Mr. Fox's glories not being merely confined to Westminster, but extended to the extremest corner of the island, to which the right honourable gentleman's partialities had not formerly gone.—His success at Ross and Kirwall,* ought not, he thought, to be denied its share of praise—It was well entitled to—

“pursue the triumph and partake the gale.”

Mr. Pitt concluded by declaring that he could not consent, either at the price of unanimity, or for any other consideration, to alter the address in any part of it.

* Mr. Fox had been returned for these boroughs as well as for Westminster, but he made his election for the latter place.

The amendment was rejected upon a division,

Ayes 114

Noes 282

The main question was then carried, and a committee appointed to prepare the address.

May 25, 1784.

A PETITION was presented to the House from the right honourable Charles James Fox, complaining of there not having been any return made to the writ for Westminster, and stating all the circumstances of the election.

As soon as the petition was read, a discussion took place as to the propriety of referring it to a committee to be chosen under the regulations of Mr. Grenville's bill; Lord Mulgrave moving, "That the said petition does not come within the description of a petition complaining of an undue election or return of a member or members to serve in parliament, the proceedings upon which are regulated by two Acts, made in the 10th and 11th years of his present Majesty's reign, for regulating the trials of controverted elections, or returns of members to serve in parliament."

MR. PITT, in answer to the objections which Mr. Fox had urged against the motion, contended, that instead of fairly and dispassionately arguing the petition upon the table on either of its true grounds, viz. on the construction of the statute, or on the orders and practice of parliament, the right honourable gentleman had chosen, as usual, to throw out a great deal of inflammatory assertion, to scatter his invectives at random, and to mix much extraneous matter with his arguments, of a sort that could have been introduced with no other motive than for the purpose of confounding truth and falsehood; and by that means misleading the judgment, and alarming the prejudices of the house, and of all who heard him. Had the right honourable gentleman fairly argued his petition, the whole merits of the case would have been found to lie in a narrow compass, and it would have been a very easy matter to follow his facts, and to put the question in its true point of view. The question, Mr. Pitt said, was not, what had happened during the election for Westminster, nor what the difficulties were, which the enmity of

administration had provided for the unfortunate candidate, who had taken up so much of the time of the house in stating and describing the lamentable circumstances that had befallen him. The question merely was, did the petition upon the table come within the purview of Mr. Grenville's bill? If it did, it undoubtedly ought to go to a committee; but if the house should be of opinion that it did not, undoubtedly it was neither consonant with the orders of the house, that it should remain on the table, nor right that it should interrupt the regular business the house was at that time engaged in, viz. the receiving of petitions complaining of undue elections.

The unfortunate candidate, among many other of the melancholy grievances he complained of, and which he had taken such pains to impress upon the minds of the house, with a view to hold himself out to the public as an object of the most unexampled ministerial persecution, had said, that let him resort to what statute he would, still he was to be told he could derive no benefit from it. To what was this to be ascribed, but to the right honourable gentleman's (or rather, as he had chosen to describe himself, to the *unfortunate candidate's*) choosing to resort to such acts of parliament as could not, by any fair construction of any of their clauses, be admitted to be at all applicable to his case? Statutes, however beneficial in their operation, however deservedly popular, must ever be taken as they were, and construed according to their clear import. Every act of parliament had its particular object, and could not be made applicable to such cases, as, by their express wording, their provisions did not extend to: this was the case with Mr. Grenville's bill, and the petition upon the table; to which the clause of the act, that the house had heard read, had no reference whatever. Nor was there any thing in the argument of the unfortunate candidate, that, in the case of a double return, there were no sitting members. The fact was, to some purposes, on every double return there were four sitting members instead of two. As to the statute of King William's not applying, he knew not whether the unfortunate candidate had most cause to lament, or the fortunate

high bailiff (against whom the right honourable gentleman had so vehemently denounced his vengeance, threatening him with his indignation, and declaring his determination to make him, if possible, a sacrifice to his disappointment,) had most reason to rejoice, at the circumstance. Happy it undoubtedly was for the high bailiff, that it had turned out that he had duly discharged his duty, and fully complied with his oath, and with all that the statute required at his hands, in stating his reasons for not having made the return which the unfortunate candidate had expected.

With respect to the pointed charge which the unfortunate candidate had made against his learned friend,* the charge of not coming new to the business, every man who was acquainted with the respectable character of that learned gentleman, and his uncommon share of professional knowledge and professional learning, would not only wonder if the eleventh of King William were new to him, but even if almost any of the laws in our statute-book came under that description: indeed, the right honourable gentleman had forgot that he himself had taken care that the business should not be new to any part of the house, since, on the first day of the session, before a speaker was chosen, and before any business whatever could be brought on, consistently with the forms and practice of the house, he had risen and urged it most indecently upon their notice. The right honourable gentleman, not contented with most foully and illiberally abusing administration, and imputing to them designs which they had not dreamt of, and devices which they had never practised; not contented with insulting the understandings of that house, contemning its decisions and arraigning its justice, had exceeded even his usual scope, and carried his invective beyond those walls, comprehending all his constituents in one general censure; a censure that involved in it the charge of perjury. [A cry from the other side of the house of "No!" "No!"] So soon had the right honourable gentleman forgot his obligations to the electors

* Sir Lloyd Kenyon.

of Westminster, so soon had he lost sight of the arts of ingratiating himself in their favour, which he had been studiously practising for the last two months with unexampled zeal, and, according to his own account, with such unexampled success, that he had not only obtained a majority of their votes, but, according to his own elegant translation of the latin word *votum*, a majority of their voices, and even what was still more, a majority of their wishes.

With regard to the time that a scrutiny would take, the bare mention that, in the election of Vandeput and Trentham, 1500 votes were set aside in the course of one session only, when sessions were much shorter than they had been of late years, was sufficient to prove, that the unfortunate candidate had very greatly aggravated the length of time a scrutiny was likely to take up before it could be completed; and as to the imputed wish of ministers to keep the city of Westminster without its representatives, he would leave it to the good sense of gentlemen to determine, whether it was likely that administration should entertain so absurd a wish as that of preventing Lord Hood and Sir Cecil Wray (who probably might be the members returned at the end of the scrutiny) from taking their seats, since it was pretty well known that both those gentlemen were actuated by sentiments, and that they entertained political principles, friendly to the present government. He said, what impressed his mind, from an impartial consideration of the whole of the case, and which he presumed made the same impression on the minds of all candid men, was, the necessity for a new law to regulate the elections for Westminster in future; a law that might direct the duration, and limit the continuance, of those elections, so that the bailiff of Westminster should be able to take the poll, and even conclude a scrutiny (should a scrutiny in his judgment appear to be necessary) in sufficient time to enable him to make a complete return to the sheriff, by the period appointed in the writ for such return to be made to the clerk of the crown. An act of parliament like that he had described, Mr. Pitt said, appeared to him to be high & necessary; and he trusted he should

have the assistance and support of the right honourable gentleman, and of the whole house, when a bill for the purpose should be submitted to their consideration; by that means endeavouring to convince the public at large of the wisdom and practicability of a measure, which ever had been, and still was, nearest his heart, viz. a sober, temperate, and useful reform of the state of parliamentary representation. He wished the case of the Westminster election to be fully heard, and impartially discussed; but he was firmly of opinion that the petition came not within the purview of Mr. Grenville's bill; and being of that opinion, his regard for the rules and orders of the house obliged him not only to vote against the petition's going to a committee, but against its remaining on the table, till it came there in a manner more consonant to the orders of the house, and the practice of parliament.

The motion was agreed to; after which the petition was withdrawn.

June 8, 1784.

THE order of the day being read for the further consideration of the Westminster election, Mr. Welbore Ellis submitted to the House the following resolution, "That, Thomas Corbett, esq. bailiff of the city of Westminster, having received a precept from the sheriff of Middlesex for electing two citizens to serve in parliament for the said city, and having taken and finally closed the poll on the 17th day of May last, being the day next before the day of the return of the said writ, he be now directed forthwith to make return of his precept, and of members chosen in pursuance thereof."

After Mr. Fox had delivered his sentiments at great length upon the question, Mr. PITT spoke to the following effect:

SIR,—If the right honourable gentleman's * reason for being so desirous of securing to himself the last hearing in this debate, has been in order that his mad and violent assertions might pass without opportunity of being contradicted, I must acknowledge, indeed, the prudence and policy of his conduct in endeavouring

* Mr. Fox.

to prevent a reply; but I must rejoice, however, when charges are brought against administration, as gross as they are unfounded, that I have the opportunity of rising to refute the charge, to contradict the assertions, to defy that right honourable gentleman to proof, and to assert with equal hardiness, and, I trust, with more than equal truth, that, in no respect, has administration exercised any undue influence—in no respect have they been so profligate as to furnish those means which have been hinted at—in no instances have they suborned witnesses to swear away men's lives—in no respect whatever have they been accessory to those violences, murders, perjuries, and that black catalogue of offences, which the right honourable gentleman calls up, by way of auxiliary matter, to embellish his speech, and to assist the house in the decision of that grave, dry, constitutional question, which is all that we have this night to determine. Sir, if the right honourable gentleman has his charge to bring forward, the courts of this country are open to him: I hope, and trust, administration is not so strong as to be able to resist any just accusation that he can bring against them. I hope, on the other hand, administration is not so weak as to give way and yield to vehement assertions, utterly unsupported, and evidently malicious: I hope opposition is not so strong; I hope there is no faction in this country so strong, so bold, so mad with desperation and disappointment, as to throw out great and criminal charges against administration, without having either the intention, or the means, or the shadow of any means, to support the accusations which they venture so roundly to make.

I am not surprised, indeed, if the right honourable gentleman should attempt to represent himself as the marked object of ministerial persecution. With respect, Sir, to the cruel hardship he has just complained of, namely, that he has not been allowed to have the last word in the debate, I would only beg leave to remind both him and the house, that so far from having, from his present situation, an indisputable right to the last word, it is contrary I believe, to a standing order of your house, that he

is allowed to speak at all, or even to be present in the house; for one of your standing orders says, "That if any thing shall come in question touching the return or election of any member, he is to withdraw during the time the matter is in debate." Such, then, is the cruel persecution carrying on against the right honourable gentleman, that, instead of being forced to be silent, and to withdraw, he is allowed to speak often ten times a day on the same question; sometimes, Sir, for three hours at a time, filling his speech with every thing that is personal, inflammatory, and invidious. I say, nevertheless, I am not surprised, if he should pretend to be the butt of ministerial persecution,—and if, by striving to excite the public compassion, he should seek to reinstate himself in that popularity which he once enjoyed, but which he so unhappily has forfeited. For it is the best and most ordinary resource of these political apostates, to court, and to offer themselves to persecution for the sake of the popular predilection and pity which usually fall upon persecuted men; it becomes worth their while to suffer, for a time, political martyrdom, for the sake of the canonization that awaits the suffering martyr; and I make no doubt, the right honourable gentleman has so much penetration, and, at the same time, so much passive virtue about him, that he would be glad not only to seem a poor, injured, persecuted man, but that he would gladly seek an opportunity of even really suffering a little persecution, if it be possible to find such opportunity.

Upon the same ground, Sir, it would unquestionably be my interest, and no less, I am sure, my wish, to abstain from every thing that has even the appearance, much more that is in reality any thing like persecution; but yet, when great constitutional questions are involved, it then becomes a minister to forego every other consideration; and so far, perhaps, to gratify his adversary, as to furnish him with the pretence of being the object of ministerial persecution, stedfastly determining, at all hazards, and contrary, perhaps, to his own convenience, to maintain the true spirit of the constitution.

I wish to meet the right honourable gentleman on the two grounds which he has laid down, and to decide upon the issue of them—first, the propriety and expediency of granting a scrutiny; and, secondly, the legality of it under all the circumstances of the case. And here, Sir, let me first touch a little on the hardship which the right honourable gentleman is said to labour under. Now I do insist, that if his single object is, (as he says it is) to bring the dispute to the decision of Mr. Grenville's committee, a scrutiny will not delay that decision one moment; nay, it will even forward it: for, suppose the return, according to the motion before the house, to be made immediately, still the petition before Mr. Grenville's committee could not be gone through this year; it must therefore begin again, *de novo*, the next, and the latter end of next session would arrive before the question could be decided. On the other hand, let a scrutiny be now instituted, preparatory to the petition, it will be finished, in all human probability, before the beginning of the next session; and the petitioner, whoever he may be, will come prepared, having his business cut short by this means, so that the petition must be finally decided in the early part of the next session; or perhaps the consequence of a scrutiny may be, that there shall come no petition at all.

But the right honourable gentleman wishes even that there might be a new writ, and a new election, rather than a scrutiny; now, let us see how this would expedite the business? Why, Sir, if a new writ were issued while the parliament is sitting, as this would be, all sides are agreed, that the bailiff would have perfect right to prosecute a scrutiny whenever the poll is over; it being universally allowed, that scrutinies are lawful in the case of elections during the sitting of parliament. If you grant, therefore, the right honourable gentleman this curious wish of his, the consequence will simply be, that after another forty days poll, forty days riot, and forty days confusion, he will find himself just where he is at this moment, except, indeed, that he will then be constrained to own (from the precedent of Vandeput and Trem-

tham, which will become precisely in point) that the high bailiff, if he pleases, will then have an undoubted right to go on with the scrutiny.

Now, to say the truth, the arguments of the right honourable gentleman, if they prove any thing, must necessarily prove what I have just stated; namely, that there must be a new writ: for he tells you, that, after the 18th of May, the bailiff became *functus officio*; that all the virtue of his writ expired, and that the high bailiff, after that day, was no longer, in this respect, high bailiff, but was turned into a private person, and had no more right to institute a scrutiny than any one of us: and yet, Sir, by the resolution before you, this bailiff is ordered to do an act which no bailiff, *functus officio*, can possibly do; namely, to return the writ. The hand you order to sign the writ is a dead man's hand. Why surely, Sir, if the bailiff, ever since the 18th of May, has been like one of ourselves, you may as well order one of us to make the return as order the high bailiff to do it. So far, therefore, as the hardship of the case is considered, it is clear, that, to let the scrutiny proceed is a mitigation of trouble and expense; since a new writ is the consequence of the honourable gentleman's argument, and a new writ, as I said before, would, forty days hence, exactly bring us to that point where we are now arrived.

I must beg the house, then, to consider coolly and distinctly what the motion before you tends to: it does not, indeed, command the high bailiff to return Lord Hood and Mr. Fox, as the honourable gentleman first intended, and as his petition prayed; that is now found out to be too monstrous, for that would be no less than to make this house the electors of its own members, usurping at once the office of returning officer, and the right of electing the representatives of the people. That ground, I say, Sir, is shifted; and to what does the resolution now go? It orders the high bailiff to return two members; it orders this deceased returning officer to come back again to life, in order to make a return of the writ; this officer, I say, Sir, whose existence irrevocably ceased the 18th of May; for, on the single ar-

gument of his perfect nonentity since that day, rests the whole of that conclusion which is so contended for, that he is not in the capacity to prosecute the scrutiny. Now, Sir, the resolution also orders the high bailiff to return those two candidates, who have, in his judgment, the majority of legal votes ; though the bailiff told you yesterday, he could form no judgment who had the legal majority, and though he explained, by substantial evidence, for what reasons it was impossible to form such judgment. Sir, I will not weary the house with entering into all the detail of evidence ; but I ask any man of honour, of candour, and of plain sense, whether the high bailiff of Westminster had not sufficient reason to wish for a scrutiny, in order to satisfy his own judgment and conscience, provided a scrutiny could be legally prosecuted, under all the circumstances of the case ? The legality of it is what I shall certainly have to prove—His evidence, in three words, was this ; that there have polled at this election above 4000 more men than there are legal votes in Westminster, upon any calculation that can be formed ; that there have sometimes been 1800 suffered to poll in a day, under the idea that the votes were to be revised at a scrutiny ; that he has received information of many hundred bad votes for Mr. Fox in two particular parishes ; that he has had intelligence sufficient, certainly, to warrant a suspicion that bad practices had been used for the purpose of procuring a number of illegal votes ; and that he was terrified, by violent threats, into an admission of many votes extremely doubtful, which, however, he set down at the moment, with the determination to enquire into them afterwards : upon these grounds, let any man deny, if he can, the expediency and propriety of a scrutiny, provided it be lawful. We are told, indeed, of Mr. Grenville's committee, and that it is there alone an effectual scrutiny can be had ; but, Sir, the high bailiff is not to take Mr. Grenville's bill into his consideration ; he is sworn to return those who have the majority of legal votes according to his judgment ; and he is bound, therefore, to do every thing that is legal, in order sufficiently to inform his judgment : besides, give me leave to say, the possession even of the seat

ought not to depend on the very loose discretion of the returning officer. The law and the constitution consider it to be a matter of some moment, who shall be put to the trouble of petitioning, and it is expected of the returning officer, that he should give the intermediate possession of the seat to those candidates alone, who have pretty strong *prima facie* evidence of their right.

Now, Sir, with respect to the legality of the scrutiny, under all the present circumstances, which appears to me the hinge on which every thing is now to turn, I am certainly forced to acknowledge, that there exists no precedent precisely in point, though the case of Vandeput and Trentham, in this same city of Westminster, appears to me nearly in point, as to the meaning and spirit of it; but there is certainly this accidental difference, that that was an election during the existence of parliament, the present is an election following a dissolution. What I mean, however, to prove, and what I say must be proved (unless we issue a new writ) is this; that the high bailiff was not so completely *functus officio* on the 18th of May, but that sufficient explanation having been given why the bailiff could not return the writ on the day when it was returnable, the law and the constitution do allow, that this house should leave the returning officer to prosecute and complete the election which he has begun, without issuing a new writ.

The case of Coventry has been quoted, in order to prove the returning officer *functus officio*; but I deny that that is a case in point. There, the election was interrupted by riots, the poll books destroyed, and the returning officer therefore made (as in the present case) a special return, certifying to the house the reasons why he could not return two members; whereupon the house issued a new writ. But, Sir, between that case and the present, there is a striking difference. Here the bailiff reports to us, that the election is begun, but is not yet complete for certain reasons. In the case of Coventry, the returning officer certified, that the whole election had been defeated; not that he had not had time to decide whom he should return, but that he

had all to begin again, which rendered a new writ most undoubtedly proper. The act of parliament on which gentlemen lay their great stress, and which the bailiff is said to have broken, is, as I understand, the 10th and 11th of King William; an act, as I must insist, applicable only to sheriffs, who were grown at that time extremely negligent in forwarding their writs, which are the aggregate of the precepts they had received in their respective districts from the several bailiffs. It applies to sheriffs, merely as executive, not as judicial officers; enjoining them to make up with diligence the precepts they had received, and to send them to the crown office within a limited time, under the penalty of 500*l.*; a moiety of which is payable to the person suing for it. Now, Sir, as the right honourable gentleman has confessed, upon better information, that he should stand no chance of recovering the penalty on a popular action, since he has declined this species of revenge upon the bailiff, which he at first threatened, he has saved me the trouble of contesting that question; and it is indisputably clear, that the present case can by no means come under that act. That act relates, I say, to the executive conduct of the sheriff; the present question respects the judicial conduct of the bailiff, who, in order to make up his judgment, has thought proper, under certain extraordinary circumstances, to institute a scrutiny. I am far from thinking that a bailiff has any right to protract his election beyond the day when the writ is returnable, unless from very particular circumstances.—That argument, therefore, that bailiffs, at this rate, may protract the meeting of parliament to what period they please, must fall entirely to the ground. The house must judge of his reasons, must hear them, must examine them, and if they are insufficient, must correct and punish him, if he be worthy of punishment; but if proof be given, that, owing to peculiar circumstances, it was impossible for him to fulfil his oath, and to judge who had the majority of legal votes, I say, then the law and the constitution permit, that he should prosecute what he has begun without a new writ, and take those measures which are absolutely necessary to form his judgment.

In order to examine more particularly what is the law of the case, we can only ask ourselves, how it stands when similar circumstances occur in the execution of other writs. In the nature of writs, it is agreed, there is no difference. Let us examine, then, the analogy of law upon the subject, and I hope, Sir, I shall not be thought pedantic, if I should allude somewhat technically to a profession which I once had the honour of belonging to, in order to prove distinctly what is the law upon this point. A very learned gentleman* near me has told you that in many instances the court allows an extension of time, in cases where some proceedings have been had upon the writ, but where every thing is not perfected by the day when the writ is returnable. Now, Sir, to bring this point of law more directly into the cognizance of the house, I will state a case: A writ is issued to the sheriff (in an action of debt) called a *capias ad satisfaciendum*, ordering him to seize the goods of A. and this is followed by another, called a *venditioni exponas*, and is returnable by a certain day; the sheriff, in prosecution of his writ, seizes the goods, in order to put them up to sale. But we will suppose, that in taking these goods of A, as he is commanded by the writ, the sheriff, through mistake and confusion, lays hold of some goods of B, which are mixed with them, and he has not time to separate the goods of A, which are all he must take, and to put them up to sale before the writ is returnable. What does the sheriff do in this case? Why, Sir, he reports the particular circumstances which prevent his returning the writ to the court, and the court then allows him to go and examine into the goods, or, in other words, they grant a scrutiny upon the circumstances laid before them, not issuing any new writ, but allowing only an extension of the old one. Now, Sir, let the house alter the word sheriff to bailiff, and for dead goods read living, and this is the very case before you.

But if this which I have stated be true, if it be law, if it be the fact in the courts below, arguing as I have a right to argue upon the analogy of the law in every new case, I do implore the

* The Master of the Rolls.

house to consider the absolute illegality of our interfering in the office of bailiff, and directing him either to return Lord Hood and Mr. Fox, as was once desired of us, or the illegality even of forcing him to return any two members before those measures are taken, which it is absolutely necessary to take, and which the law therefore enjoins him to take, in order to make his return.

Some gentlemen have talked of the peculiar jealousy of our constituents on matters of election; but, Sir, theirs has never been a jealousy lest this house should be supine in watching its own privileges. The jealousy of the people has always justly been, lest this house should assume privileges of electing members, or of directing their election, which is not for us to do. What was the case of the Middlesex election? Was it not, that the house of commons determined, by their own authority, to impose on the people a representative who was not the object of their choice? God forbid that this house should again impose on the people any man who is not the object of their choice! But elections without doors take their legal course. It is our office to punish corrupt or partial returning officers; it is our office to issue new writs; it is our office ultimately to decide election contests: but it is not within the scope of our privileges to direct the bailiffs whom to return; nor to order them, as if they were servants or officers of ours, to make returns in what manner and at what time we please. The right honourable gentleman, indeed, might, with some degree of consistency, propose to the house the assumption of new privileges in matters of election; for, in the case of the Middlesex election, we know that he was the champion of this house against the rights of the people; and it is singular enough that the only two points in which the right honourable gentleman and the noble lord for a series of years agreed, were in their decision of the Middlesex election, which is now so deservedly execrated, and in their execration of Mr. Grenville's bill, which is now so deservedly applauded.

Sir, it has been hinted to the house, that some new law to

regulate Westminster elections will be proposed; and the right honourable gentleman, with a degree of ingenuity that is characteristic, immediately exclaims, that we find it necessary to introduce a new law, in order to prevent future parliaments from adopting the bad precedent we have set them. That a new law is wanted on the subject of elections in Westminster, is surely what nobody can deny; but my opinion is, that, until a new law is introduced, it is better to decide according to the laws existing, than to anticipate new laws, or to pass the bounds of our privileges. I am aware of the difficulties we are all reduced to, in so unheard-of a case as the present: for this house to order a bailiff whom to return, is impossible; neither is it possible for us to punish a bailiff, or even to forbid him from doing that which is absolutely necessary, to the forming of a reasonable judgment, which is not contrary to law, and in which the analogies of law, when the circumstances are compared, completely justify him.

The resolution was negatived,

Ayes 117

Noes 195

Lord Mulgrave's motion was then, upon a second division, carried "That the High Bailiff of the city of Westminster do proceed in the scrutiny for the said city with all practicable dispatch."

July 6, 1784.

Mr. PITT rose to open his new system for the government of India.—

No one, he said, could be more deeply impressed than he was with the importance of the subject on which he was then going to enter: in whatever point of view he considered it, he felt that no subject could possibly be more interesting. In it were involved the prosperity and strength of this country; the happiness of the natives of those valuable territories in India, which belonged to England; and finally the constitution of England itself. India had at all times been of great consequence to this country, from the resources of opulence and strength it afforded;

and that consequence had, of course, increased in proportion to the losses sustained by the dismemberment of other great possessions; by which losses, the limits of the empire being more contracted, the remaining territories became more valuable.—He was aware that nothing could be more difficult than to digest a plan, which should at once confirm and enlarge the advantages derived to this country from its connections with India; to render that connection a blessing to the native Indians, and at the same time preserve inviolate the essence and spirit of our own constitution from the injuries to which this connection might eventually expose it. Gentlemen would recollect with a degree of horror, to what dangers that happy constitution was exposed last year, when a bill was introduced into parliament, which would have established a system dangerous to every thing that Englishmen held dear; they would recollect, that the liberties of this country had nearly suffered shipwreck: the danger, however, was happily over; and the legislature had now an opportunity to consult about the means the most likely to reconcile and secure the interests of the people of this country, of the people of India, and of the British constitution, as far as it might be effected by the connection with India. To his lot fell the arduous task of proposing to the house a plan which should answer all these great purposes. He was aware that no plan could be devised, to which some objections would not lie; he was aware that it was not possible to devise a plan that should be free from imperfections; he should therefore console himself if he should be able to suggest the means of doing the most good to India, and to the East India company, with the least injury to our constitution. In the arrangements that he should propose, it would be impossible to proceed, without giving to some body of men an accession of power; but it was his duty to vest it where he should have reason to think it would be least liable to abuse, at the same time that it should be sufficient, and not more than sufficient, for all the purposes for which it should be given: sufficient to secure to this country the wealth arising from the commerce of the company; to the inhabitants of Hindostan,

peace and tranquillity ; and to enforce obedience on the part of the servants of the company, to the orders that should be sent to them from home. In framing such a system, he thought it his duty never to lose sight of this principle—that though no charter could or ought to supersede state necessity, still nothing but absolute necessity could justify a departure from charters. He admitted that charters ought not to stand in the way of the general good and safety of the country ; he admitted that no charter ought to be suffered to stand in the way of a reform, on which the being or welfare of the country depended ; but at the same time he contended, that a charter ought never to be invaded, except when the public safety called for its alteration : charters were sacred things ; on them depended the property, franchises, and every thing that was dear to Englishmen ; and wantonly to invade them, would be to unhinge the constitution, and throw the state into anarchy and confusion.

With respect to the India company, its affairs were not in a state that called for a revocation of the charter ; the necessity which would justify a revocation, did not exist in this case ; and he felt no small degree of satisfaction in the assurance, that, at the moment when he had to propose such measures for the government of India, and the conduct of the affairs of the East India company, as to his judgment appeared most applicable, there no longer existed any danger of the best and most sacred rights of Englishmen being made a sacrifice to the ambitious projects of those, who, under the necessity that actually existed, had taken the desperate resolution, that nothing short of measures of the most decisive and extreme nature, and measures far exceeding the necessity of the case, could be effectual. He thanked God, so great a sacrifice had been escaped ; and he trusted that the sense plainly and incontrovertibly declared to be entertained upon the subject by the majority of the people of England, would prove to be the sense of the majority of that house ; and that they would join with him in opinion, that although it must on all hands be admitted, that there did exist a great and urgent necessity for the interference of the legislature with regard to the

East India company, and the future government of India, yet, that neither state policy nor common prudence called for the legislature's proceeding beyond the limit of the existing necessity, much less of going the length either of destroying the rights of any individuals or bodies of men, established upon the most sacred of all foundations, the express words of solemn charters, recognized and confirmed by repeated acts of parliament, or of directly changing the constitution of the country, and departing from those known principles of government, which the wisdom of our ancestors had provided, and which had proved for ages the uninterrupted source of security to the liberties of Englishmen. It was, he said, to be acknowledged on all hands, that no rights of any body of men, however confessed to be rights of the most sacred sort, could supersede state necessity. To that, and that alone, they must give way ; but then it ought ever to be a rule of conduct with those, to whose lot it fell to act under such a necessity, to take care that they did not exceed it. Nothing but such a necessity could warrant any government in proceeding to do, what must be an unwelcome task for all who had any concern in its execution ; but when they found themselves obliged to discharge a duty of that irksome nature, they ought to proceed warily, and with all possible tenderness and regard for those with whose rights they felt themselves obliged to interfere, and to be assured, that, in endeavouring to do all that their duty required, they did not unnecessarily tear up by the roots and annihilate those rights that were of essential consideration, and ought not to have been touched, because the exigency of the case did not actually require it. And though on a former occasion he had been derided, when he comforted himself with the idea, that, in every departure he should propose from the charter, he should have the consent and concurrence of the company, he still continued to find great consolation in the reflection, that he did no violence to the company ; for no violence could be said to be done by regulations, to every one of which the company most cheerfully consented.

He did not find it necessary to create any system absolutely

new for the government of our territories in India; he should rather endeavour to improve on the system by which those territories were governed at present. The great considerations to be looked to in the regulation of the government of India were threefold—the commerce of this country with that, and consequently the resources we derived from it; the interests of the inhabitants there; and the connection that the management of both had with our own constitution. Great inconvenience must, under the best possible devised form of government, necessarily arise from the circumstance of any country deriving a considerable part of her resources from a dependency at so great a distance; and this must also add to the extreme difficulty of governing India from home, because that distance must necessarily prevent the government at home, and those who filled the executive offices in India, from acting with equal views. For this reason he must repeat what he had before taken the liberty to state, when the subject had been under the consideration of the last parliament, that as no plan of government for India that human wisdom could suggest, was capable of perfection, so he was far from presuming to think, that the plan he should propose would not occasion much difference of opinion, and be liable to a variety of objections. He could only with great humility submit that plan to the judgment of parliament, which, from the maturest consideration, he had been able to select as the most practicable and the most consonant to the present constitution; conscious, at the same time, that it was impossible for him, with so many different subjects to attend to, to have found leisure to do justice to a matter of sufficient importance to engross the attention of any man, whose mind had been vacant and unoccupied by other objects. To proceed, however, to the business to be stated, he observed, that it could not be denied, that in every project of government of India, there must be an accession of influence somewhere, which it became that house and the people in general always to regard with extreme jealousy. That influence, for obvious reasons, should not be left at home, but might, with greater safety, be trusted abroad in India, where the exe-

cutive power must be lodged; as every man must see the necessity of having a government active on the spot, yet not independent of this country, but so constituted as to secure obedience to the system of measures dictated from home, while, at the same time, it was capable of preventing extortion in India, and frustrating the improper views of ambition and despotism. The channel of commerce, he said, must be our guide, as to our future expectations from our connection with India, since we ought to look to the management of our manufactures there, which must chiefly depend on the establishment of the happiness of the inhabitants, and their being secured in a state of peace and tranquillity. In order to effect this, he declared it would be necessary to give the government abroad a certain degree of power, subject only to the control of a board, to be appointed at home, of the nature that he had mentioned, when he had proposed a bill upon the same subject to the last parliament. He observed, that in the present consideration there were mixed interests to be regarded as well as mixed objects. Government and commerce were the two great objects to be looked to, while the interest of the East India company, and the interest of the country, called for their most serious attention. The commerce of the company exclusively belonged to them; nor was it till the territorial acquisitions of the company became considerable, that the public claimed any participation in the advantages arising from the resources of those acquisitions, in the obtainment of which they had borne so large a share. The commerce to and from India, therefore, he meant to leave, where it ought to be left, in the management of the company.

It had, he remarked, been ever held, that commercial companies could not govern empires; but that was a matter of speculation, which general experience proved to be not true in practice, however universally admitted in theory. The East India company had conducted its commerce, and governed a vast empire for years; and it was to be remembered that the East India company was no new establishment; it rested on charters and acts of parliament; those charters ought undoubtedly to be regarded, and, as

far as possible, the rights exercised and enjoyed under them ought to be held sacred. But, as he had before observed, there were no rights, that by accident or time became fatal to the interests of the public, or to the safety of the state, which must not be touched. The matter was, how to connect the constitution of the company with the national interests: from that regard and attention to chartered rights which he ever should profess, and which every man ought to practise, he had been led rather to consider, whether it was not possible to model the old constitution of the company, so as to make it answer every view of the state, and every interest of the public, rather than to make a new one; not thinking it necessary to confiscate, annihilate, and destroy, where the purpose could be attained without proceeding to any such violent lengths.

In the measures to be taken for the future government of India, if they had the company's concurrence, it would surely be admitted that they took the safest line; that they had pursued the wisest course: and the measures he should propose, were such as the company agreed to. The control he had mentioned ought undoubtedly to remain where the constitution had placed all power, in the executive government of the country. The management of the commerce he meant to leave with the company. The patronage should be separate from the executive government; but be it given where it would, he should propose regulations that would essentially curtail and diminish it, so as to render it as little dangerous as possible. The patronage, however, he would trust with no political set of men whatever. Let it be in India; it would be free from corruption then, and when exercised under the restrictions and limitations he should propose, could, he flattered himself, be attended with no bad consequences.

He enlarged upon these points considerably; and then said, from what he had stated, the house would doubtless observe, that the bill he meant to move for leave to bring in, was not different from former bills that he had stated to the house. The great point of it, as far as he had opened it, was the appoint-

ment of a separate department of board of control, to whom all dispatches should be transmitted, and who should be responsible for what they did, and for what they did not do; who should blink nothing; who should be obliged to act upon every question that came before them; who should not shew any indulgence or partiality, or be guilty of procrastination; who should not have the plea of other business, or in fine, on any pretence, or in any other way whatever, put off or delay the duties of their office. This institution, though certainly new, was not charged with new duties; because the same powers of control had been given to the secretaries of state by various acts of parliament, but unfortunately they had never been exercised, having been suffered to remain dormant. He wished, therefore, to put it out of the power of that degree of laziness natural to office, any longer to defeat the public interest, by the institution of a board necessarily active and efficient. He was aware that many persons, who in general disliked, as much as he had done, the violence of the measures proposed in another bill, approved the idea of making the board of commissioners, to be instituted under the authority of that bill, permanent. He was not of this opinion; sure he was, that the permanency of such a board as that bill proposed to institute, would have added to the mischiefs of it. Such a board would have been in itself a deviation from the principles of the constitution, and its permanency would have involved it in contradictions to the executive government that must have been attended with great public inconvenience. An institution to control the government of India must be either totally independent of the executive government of this country, or it must be subordinate to it. Ought the administration of the day to have no connection with what was going on? Let it be remembered, that a permanent board might be hostile to those who held the government at the time; a view of it, which, he trusted, would sufficiently prove, that an actual independent permanency in any such board would be an evil. The existing government ought to be, to a degree, permanent; but the Indian department must not be independent of that: he

meant, therefore, to give it a ground of dependence, upon which all the various departments had a natural and legitimate dependency; viz. upon the executive government. Every government that had no other object than the public good, that was conscious of acting upon no other principles than such as were perfectly constitutional, that was swayed by no motives of a personal, an interested, or an ambitious nature, but which possessed a sufficient share of the confidence of the sovereign, of parliament, and of the people at large, would, from its conduct, be permanent; and the Indian government would be so of course. Having said this, he animadverted on the danger of once departing from the constitution, by appointing such a commission as the bill that had passed that house, but which had been rejected by the lords in the last parliament, authorised. He remarked, if the practice once obtained, there was no saying to what extent it might be carried, or how often the precedent might be multiplied: admitting it to pass in the instance of the late bill, they might have proceeded to separate and tear away all the departments from the crown, and put them one after another into so many parliamentary commissions.

With regard to the objections that had been started, and the reasons that had been urged to prove that the company's directors ought not to be excluded from an insight of the papers of the commissioners, he was willing so far to give way to the arguments of that nature, as to permit the court of directors to see the papers of the commissioners; but they were to have no power of objecting; the decision of the commissioners must be final and binding upon the directors. He meant also to invest the commissioners with a power to originate measures, as well as to revise, correct, alter, and control those of the company; but with regard to such measures as the commissioners originated, the company were to be obliged to carry them into execution. This, he observed, took nothing from the company; since, in fact, it was nothing more than the power to put a negative on their measures, and the power of altering them, acting in another way. With respect to the appointment of the commis-

sioners, he said, it was meant to be the same as that of persons holding great offices, viz. at the nomination of the crown. It was intended that the board should consist of none but privy counsellors; but the board should create no increase of officers, nor impose any new burdens, since he trusted there could be found persons enough who held offices of large emolument, but no great employment, whose leisure would amply allow of their undertaking the duty in question. And this circumstance, he observed, would have a good effect for the future, in rendering it necessary for ministers, when, by way of providing for their families, they appointed to offices hitherto considered as sinecures, to have some other consideration of the ability of the person about to be appointed to fill it; a consideration that could not but occasion the description of offices to which he was alluding, to be well filled for the future. The principal powers of this board, he recapitulated, would consist in directing what political objects the company's servants were to pursue, and in recalling such as did not pay obedience to such directions, or be able to give very satisfactory reasons to shew, that circumstances rendered disobedience a virtue. The board would be strictly a board of control; it would have no power to appoint, nor any patronage; consequently it could have no motive to deviate from its duty.

Thus much, the house would see, related solely to the government at home. With regard to the government abroad, the first and leading ideas would be to limit the subsisting patronage, and to produce an unity of system, by investing the supreme government, to be seated in Bengal, with an effectual control over every other presidency, and by investing that supreme government with executive power, and with the disposition of offices in India; but to make it a matter less invidious, and to prevent the possibility of abuse, gradation and succession should be established as the invariable rule, except in very extraordinary cases;—with a view to which, there must be lodged in the supreme government, as in every other executive power, a discretion, which every man must see was actually necessary to be

vested in an executive power, acting at such an extreme distance from the seat of the supreme government of all, but which was nevertheless to be subject to the control of the board of superintendency to be established here at home, whose orders in this, as in every other case, the government of India must obey. Though Bengal was designed to be the supreme government, it was not to be the source of influence; that being as much as possible guarded against by the regulations designed to make a part of the bill. The officers of the government of Bengal were intended to be left to the nomination of the court of directors, subject to the negative of the crown; and the court of directors were to have the nomination of the officers of all the subordinate governments, excepting only of the commander-in-chief, who, for various reasons, would remain to be appointed by the crown. He said, it might possibly be argued, that, if the crown nominated the commander-in-chief, and had a negative upon the rest of the appointments, all the patronage remained in the hands of government at home. This, however, was far from being the case; the patronage of great appointments not being the sort of patronage for the public to entertain a jealousy about, and the other patronage being diffused and placed in Bengal, the influence from it was considerably weakened and diminished; add to this, all officers going by gradation and succession, would be a forcible check upon the patronage, and tend greatly to its reduction.

Having discussed this matter very fully, Mr. Pitt proceeded to state, that much would depend on the manner of administering the government in India, and that his endeavours should be directed to enforce clear and simple principles, as those from which alone a good government could arise. The first and principal object would be to take care to prevent the government from being ambitious and bent on conquest. Propensities of that nature had already involved India in great expenses, and cost much bloodshed. These, therefore, ought most studiously to be avoided. Commerce was our object, and, with a view to its extension, a pacific system should prevail, and a system of

defence and conciliation. The government there ought, therefore, in an especial manner to avoid wars, or entering into alliances likely to create wars. At the same time that he said this, he did not mean to carry the idea so far as to suggest, that the British government in India was not to pay a due regard to self-defence, to guard against sudden hostilities from the neighbouring powers, and, whenever there was reason to expect an attack, to be in a state of preparation. This was undoubtedly and indispensably necessary; but whenever such circumstances occurred, the executive power in India was not to content itself with acting there, as the nature of the case might require; it was also to send immediate advice home of what had happened, of what measures had been taken in consequence of it, and of what farther measures were intended to be pursued. He mentioned also the institution of a tribunal to take cognizance of such matters, and state how far such a tribunal should be empowered to act without instructions from home. He next said, that the situation of the Indian princes, in connection with our government, and of the number of individuals living immediately under our government, were objects that ought to be the subject of an inquiry. The debts due from one Indian prince to another, over whom we had any influence, such as the claims of the Nabob of Arcot upon the Rajah of Tanjore, ought, undoubtedly, to be settled on a permanent footing: this, and the debts of the natives tributary to us, ought also to be the subjects of inquiry. Another object of investigation, and an object of considerable delicacy, was the pretensions and titles of the landholders to the lands at present in their possession; in the adjustment of this particular, much caution must be adopted, and means found, that would answer the end of substantial justice, without going the length of rigid right; because he was convinced, and every man at all conversant with Indian affairs must be convinced, that indiscriminate restitution would be as bad as indiscriminate confiscation. Another very material regulation, or rather principle of reform, from which solid hopes of providing a surplus adequate to the debt in India might be

drawn, was, the retrenchment of our establishments in that country. At present it was a well-known fact, that all our establishments there were very considerably overcharged; at any rate, therefore, there must be no augmentation suffered; and in order to prevent the possibility of such an improvident measure, a return of all the establishments must be called for. With regard to the means of reducing them, they ought to be laid before parliament, and submitted to the determination of both houses. Every intended increase of the establishment ought also to be submitted to parliament, and the company to be immediately restrained from sending out any more inferior servants. He stated that it would be necessary, by proper provisos, to compel the execution of these points; and the better to guard against the continuance of that rapacity, plunder, and extortion, which was shocking to the feelings of humanity, and disgraceful to the national character, he proposed to render the company's servants responsible for what they did in every part of India, and to declare it illegal and punishable, if they, on any pretence whatever, accepted sums of money, or other valuables, from the natives. This would, he hoped, tend effectually to check private corruption. There were, he was aware, a certain species of presents, so much a part of the ceremonies inseparable from the manners of the East, that an attempt to direct that they should not be received, would be utterly impracticable; but even as much as possible to guard against any bad consequences resulting from the continuance of the practice in question, he meant that the bill should oblige the company's servants in India to keep an exact and faithful register of all such presents.

With regard to those of the company's servants, who did not comply with the directions the bill would hold out to them, and to such other directions as should, under the sanction and authority of the bill, be transmitted to them from home, such persons should be considered as guilty of offences punishable in the degrees stated in the bill, which should contain a special exception of those guilty of disobedience of orders and other crimes, which

from their consequences, being of a most fatal tendency, must be punished with great severity. In respect to this part of his subject, the house, he had no doubt, would go along with him in feeling the necessity, and at the same time the extreme difficulty, of providing a proper tribunal, before which persons charged with offences committed in India should be tried. He owned he had an extreme partiality to the present system of distributing justice in this country; so much so, that he could not bring himself for a moment to think seriously upon the idea of departing from that system, without the utmost reluctance: without mentioning names, however, or referring to recent instances, every man must acknowledge, that at present we had it not in our power to do justice to the delinquents of India, after their return home. The insufficiency of parliamentary prosecutions was but too obvious; the necessity for the institution of some other process was therefore undeniable. A summary way of proceeding was what had struck him, and he believed, others who had thought much upon the subject, as most advisable; the danger, however, was the example that must arise from any deviation from the established forms of trial in this country, it being perhaps the first, the dearest, and the most essential consideration in the mind of every Englishman, that he held his property and his person in perfect security, from the wise, moderate, and liberal spirit of our laws. Much was to be said with respect to the case in point; either a new process must be instituted, or offences, equally shocking to humanity, opposite to justice, and contrary to every principle of religion and morality, must continue to prevail unchecked, uncontrolled, and unrestrained. The necessity of the case outweighed the risk and the hazard of the innovation; and when it was considered that those who might go to India hereafter, would know the danger of transgressing before they left England, he trusted it would be admitted that the expedient ought to be tried. Should such a law pass, every man who should go to India in future, would, by so doing, consent to stand in the particular predicament in which the particular law placed him; and in thus agreeing to give up some of the most essential

privileges of his country, he would do no more than a very numerous and honourable body of men did daily, without the smallest impeachment of their characters, or the purity of the motives that impelled their conduct.

Mr. Pitt suggested loosely what his idea of the summary species of trial he meant to authorise was. He said, there must be an exception to the general rules of law; the trials must be held by special commission: the court must not be tied down to strict rules of evidence; but they must be upon their oaths to give judgment conscientiously, and pronounce such judgment as the common law would warrant, if the evidence would reach it. Much, he was aware, would depend on the constitution of the court. His design, therefore, was, that it should be composed of men of known talents, unimpeached character, and high consequence; that their impartiality should be farther secured by their election being by ballot; and that a certain number out of the whole nominated should make a court, in order that there might exist the chance of a choice by ballot. The persons to be balloted for, should be some of them from among the judges, some members of the house of lords, and some members of that house. Such a mixed assemblage, from the very first characters in the kingdom, would leave no room for suspicion, or possible impeachment of justice; and, in order still more strongly to fortify the subject against injustice, they should not be chosen till the hour of trial, and should then be all sworn. To effect the purposes of the institution of such a tribunal, they should be empowered to take depositions, and receive information, communicated by witnesses who were in India when the delinquent was stated to have committed the offences he might stand charged with; and farther, they should be judges both of the law and the fact. With regard to the punishments, they should be governed by the punishments the law, as it stood, authorised in cases of misdemeanour, viz. fine and imprisonment; but the extent of these should rest in the discretion of the court, to apportion according to their opinion of the proved enormity of the crime: and as a farther means of rendering such a tribunal awful, and

of giving effect to its plans for preventing the perpetration of crimes shocking to humanity, it should be armed with the power of examining the parties charged as delinquents, by interrogatories, as to the value of their effects, in order the better to be able to govern the quantum of the fine to be levied in case of conviction : it should also be armed with the power of examining the amount of any man's property on his arrival in England from India ; and since purity and abstinence were the objects which every man must desire should characterize the conduct of their countrymen in Asia, the company should not have it in their power to employ any one of their servants convicted of a misdemeanour while he had been in India, nor should any person be suffered to return to that country after his stay in this beyond a certain limited period. Mr. Pitt interspersed his notification of the different principles and regulations which his intended bill went to establish, with a variety of illustrations and arguments ; and concluded with moving, " That leave be given to bring in a bill for the better regulation and management of the East-India company, and of the possessions in India."

The motion, after a few observations from Mr. Fox, was agreed to.

February 22, 1785.

THE House having, on Mr. Pitt's motion, resolved itself into a Committee of the whole House, for the purpose of taking into consideration that part of his Majesty's Speech which recommended to their earnest attention the adjustment of such points in the Commercial intercourse with Ireland as were not yet finally adjusted ; and the eleven resolutions agreed to by the Houses of Lords and Commons of Ireland, being read,

MR. PITT rose, and opened the system of commercial intercourse between the two kingdoms. He said he flattered himself he should be honoured with their indulgent attention, of which he should fully stand in need, while he endeavoured to state to them the important propositions on which he conceived an advantageous and honourable system of intercourse might be esta-

blished between Great-Britain and Ireland. In a business of such moment, he knew that it was equally unnecessary for him to desire the attention of gentlemen, as to intreat that they would enter into the consideration of the subject without prejudice, and with the earnestness which its political magnitude required. There was not a man in the house, of whatever party or description, however attached or connected, who would not agree that the settling of the commercial intercourse of the two countries, on a firm, liberal, and permanent basis, by which an end might for ever be put to jealousies and clamour; by which all future pretexts to discontent might be removed, and by which the surest foundations of future strength and opulence might be laid, was one of the greatest topics which could be agitated in parliament, and one of the most desirable objects that they could accomplish. They would meet with one disposition as to the end, however they might differ about the means; and he only prayed that gentlemen would enter into the discussion of the subject without prepossession from what they might have heard, and without giving ear to the insinuations which had been so industriously circulated through the metropolis, and distributed, perhaps, to every corner of the country. These insinuations applied to particular subjects of the discussion, and were founded on misconception of those great and necessary *data* in our relative situation, upon which, without bending our view to partial aspects, we must ultimately decide this great question. If gentlemen had adopted ideas from cases half stated, or from cases misrepresented by those who had made up their minds, without knowing whether the state of the question made it necessary that the line should be pursued which had been adopted, it would be more difficult for him to clear the way to the true consideration of the question than it otherwise would have been. It was incident to every proposition, that, until it should be fully exposed, those who might have the interest or inclination to raise clamour by partial statements of it, had the advantage in the conflict for a time: but when the whole could be fairly elucidated, truth would always, as it ought, have its prevalence over

misrepresentation, and the delusion, though extensive, would be but momentary.

With regard to the important question, he conceived it to be simply this: What ought to be the principles on which the relative commercial interests of the two kingdoms should be settled in the system of intercourse to be established between them? In answering this question he had no difficulty in saying, that the system should be founded on principles of expediency and justice; and he was confident in saying, that, in the mode in which the king's ministers had pursued the object, they had paid regard to those principles. It had been a subject of insinuation that the steps which they had taken were not conducive to the ultimate success of the measure, and that they had embraced notions which were hostile in every conception to the end in view. He would not go minutely into the detail of the propositions which had been read by the clerk at the table, and which he confessed were the basis of the system which he meant to submit to their wisdom, because he was aware that the committee were not ripe to decide on them, and would not be competent to the discussion, until they had examined all the accounts which were already, or which might hereafter be, laid on their table.

It was his wish that those examinations should be full and minute; that time should be given them for the discussion; and that the whole should be fairly and fully investigated before they came to any determination. He did this in the confidence that, upon such mature consideration, they would find the general propositions to be founded on good sense and substantial policy. He was sensible that the smaller parts might require much curious and minute investigation; they would stand in need of correction, and perhaps of change. He trusted that he should have the assistance of all the wisdom and information of the committee on those points; and he assured them that full time, and the utmost information, should be given for the discussion. In such a business, such a determination was essential; for it was of the greatest and most decisive importance to both kingdoms, since

the end and object was no less than to establish a system that should be permanent and irrevocable.

He should confine himself to general principles in the exposition of the business this day. The motion with which he should conclude would fully explain the principles; it had a reference to the commercial regulations which had been read at the table, and which the houses of lords and commons of Ireland had declared to be the basis of what they should consider as a proper and effectual system of intercourse. His motion did not tend to any direct point; but it led their attention to the general prospect of the scheme, accompanied with a provision which he conceived to be essential to the whole.

In treating this important question, he would beg leave to recal their attention to what had been, and what was the relative situation of the two countries. They would recollect that, from the revolution to a period within the memory of every man who heard him, indeed, until these very few years, the system had been that of debarring Ireland from the enjoyment and use of her own resources; to make the kingdom completely subservient to the interests and opulence of this country, without suffering her to share in the bounties of nature, in the industry of her citizens, or making them contribute to the general interests and strength of the empire. This system of cruel and abominable restraint had however been exploded. It was at once harsh and unjust, and it was as impolitic as it was oppressive; for, however necessary it might be to the partial benefit of districts in Britain, it promoted not the real prosperity and strength of the empire. That which had been the system counteracted the kindness of Providence, and suspended the industry and enterprise of man. — Ireland was put under such restraint, that she was shut out from every species of commerce:—she was restrained from sending the produce of her own soil to foreign markets, and all correspondence with the colonies of Britain was prohibited to her, so that she could not derive their commodities but through the medium of Britain. This was the system which had prevailed, and this was the state of thralldom in which that country had

been kept ever since the revolution. Some relaxation of the system, indeed, took place at an early period of the present century. Somewhat more of the restrictive laws were abated in the reign of George II. ; but it was not until a time nearer to our own day, and indeed within the last seven years, that the system had been completely reversed.

It was not to be expected but that when Ireland, by the more enlarged sentiments of the present age, had acquired an independent legislature, she would instantly export her produce and manufactures to all the markets of the world. She did so, and this was not all. England, without any compact or bargain, generously admitted her to a share in her colonies. She gave her liberty to import directly, and to re-export to all the world, except to Britain, the produce of her colonies. Thus much was done some years ago ; but to this moment no change had taken place in the intercourse between Great Britain and Ireland themselves. Some trivial points, indeed, had been changed ; but no considerable change had taken place in our manufactures exported to Ireland, or in theirs imported to England. That, therefore, which had been done, was still viewed by the people of Ireland as insufficient ; and clamours were excited, and suggestions published in Dublin and elsewhere, of putting duties on our produce and manufactures, under the name of protecting duties.

Having thus far relaxed from the system which had been maintained since the revolution,—having abandoned the commercial subserviency in which we had so long persevered, and having so wisely and justly put them into a state in which they might cultivate and profit from the gifts of nature,—having secured to them the advantages of their arts and industry, it was to be observed that we had abolished one system, and had established another ; but we had left the intercourse between the two countries exactly where it was. There were, he said, but two possible systems for countries situated in relation to one another like Britain and Ireland. The one, of having the smaller completely subservient, and subordinate to the greater—to make

the one, as it were, an instrument of advantage, and to make all her efforts operate in favour, and conduce merely to the interest of the other. This system we had tried in respect to Ireland. The other was a participation and community of benefits, and a system of equality and fairness, which, without tending to aggrandize the one or depress the other, should seek the aggregate interests of the empire. Such a situation of commercial equality, in which there was to be a community of benefits, demanded also a community of burdens; and it was this situation in which he was anxious to place the two countries. It was on that general basis that he was solicitous of moving the proposition which he held in his hand, to complete a system which had been left unfinished and defective.

Under these circumstances, to discover the best means of uniting the two countries by the firmest and most indissoluble bands, ministers had, during the recess, employed themselves in inquiries by which they might be able to meet parliament with a rational and well-founded system. That they might form the outline of such propositions, from the mutual ideas of both countries, and that they might join in the principles on which the basis of the intercourse was to be laid, they thought it their duty not to come into the parliament of Britain until they knew what additions to the relaxations which were lately made, would be likely to give entire satisfaction to the people of Ireland; what commercial regulations they would think essential to commercial equality; and what proportion of the expense of supporting the common interests Ireland would be content to bear, on being thus made a common sharer in the benefits. They were now prepared to meet parliament with the system, founded on the intelligence of the sense of the Irish legislature on the subject, and, he believed, of the Irish people.

It was his wish to examine the system in two striking points of view, into which it naturally divided itself:

1st. To examine what would be the effects of the commercial arrangements suggested in the propositions on the table, on our particular commerce and manufactures; and,

2nd. To examine the effects of an extension of the trade of Britain, in the return which Ireland would make towards the common expense.

He would beg the indulgence of the house while he went particularly into the consideration of these branches of the subject. The first branch, viz. the commercial arrangements, again should be divided into two parts. 1st. In so far as they regarded our navigation laws, and the monopoly of our commerce with our colonies; and, 2ndly. In so far as they regarded the intercourse between the two countries by the equalising of duties.

The first branch of this subject, namely, the liberty of importing the produce of all countries importable into England, directly, from henceforth, through the medium of Ireland, was likely to attract most of the attention of the house. The alarms of the people would also be excited to this measure, and excited under names which, from long habit, we were accustomed to reverence. It would be said, that this measure would be destructive of our navigation laws, the source of our maritime strength and commercial opulence. Those who argued in this way merited, however, but little credit; for they did not seem to have taken much pains to make themselves acquainted by experience with those navigation laws. How far this new measure would depart from the spirit of those laws, would be seen from this short statement of the fact. Goods, the produce of Europe, might now be imported into Britain through Ireland, by the express authority of the navigation act. The new proposition applied only to Africa and America, for Asia was excluded, as the East-India company had the monopoly of the trade to that quarter of the world. It was therefore to be asked, whether it would be wise in this country to give to Ireland the liberty of importing, and afterwards of exporting to Britain, the produce of our colonies in Africa and America?

If we desired to give satisfaction to Ireland, and to put an end to all contention, by a system founded in equality and reciprocity, he conceived that this was a wholesome and proper measure. Every man would agree that it was desirable to give them

a complete participation, if it could be done without encroaching on our navigation laws and commercial system, which were so deservedly dear to us. It should be remembered that we had already given to Ireland our intercourse with our West-India islands. In the late alteration of the system we had opened the way of Ireland to all foreign markets; and in doing that, we had conferred no favour, and made no concession. It was the natural right of Ireland, and the measure was a measure of justice, but not of grace. We, however, had gone farther than that: we had given them direct intercourse with our own colonies—with those colonies which we had acquired by our own treasure, and which we maintained by our own authority. This was liberal—it was a favour—it was certainly advisable to give this proof of our friendship; but it was given without reciprocity, without securing from Ireland any return, or receiving any proportionate aid towards the maintenance of trade, or the protection of those colonies.

The question now was, therefore, whether, with so much given, and so little received, it would be wise to destroy that much by a niggard detention of the little that was left; or whether, by adding the little to the much already given, we might not secure a valuable return?

He knew there might be persons, who, with separate interests, or perhaps with personal interests, might start objections, and find pretexts for clamour against every national object that could be embraced; and while ear was given to such clamour, we must remain in the same unprofitable system as heretofore. But if they wished to pay respect to the advantages of quiet and security; if they desired to have a return proportional and adequate, it was his opinion that the little which was left ought to be given for a return, in addition to the much which was given without any return at all: and happy would it be for Britain, if, by a profitable use of what little was left, she could yet secure the advantages which might have been so much more certainly procured in the former season.

But it was requisite to proceed to inquire what would be the

effects produced by giving this extension to Ireland? The committee would be the place for detail. He would confine himself, therefore, to the general view of the subject. They had heard in popular discussions, and in those publications which were propagated so freely through the metropolis, that this measure would strike a deadly blow to the navigation laws of this kingdom. It would be said that, by this blow, that act, which was the palladium of our commerce, would be ruined. These were clamours to which he could not subscribe. He desired to know what was likely to be the extent of this boon? Would it be more than that Ireland would be able to send to Britain what she might have imported from the colonies above what was necessary to her own consumption? Was it likely that she was to become the emporium, the mart of the empire, as it was said she would? He could not believe that it ever would be the case. By emporium he supposed was meant, that Ireland would import the produce of Africa and America, afterwards to distribute it to all the world, and to Britain among the rest. If this liberty would strike a fatal blow to the commerce of England, he begged it might be remembered with whom the blow had originated. By the inconsiderate and unsystematic concessions which had been made four years ago, the blow was struck. They would not have been inconsiderate, if accompanied with provisions of a return—not if the system had been finally settled; but those concessions were inconsiderate, because we had been inclined to hide our situation, both from ourselves and others, without examining the extent of what we were giving away, and without securing the general interests of the empire: so that, if there was any danger of Ireland's becoming the emporium, and of her supplanting us either in our own or in foreign markets, it was by the advantages given by the noble lord* whom he had then in his eye; and he trusted the nation would know and feel from whence the calamity really sprung.

No such consequence, however, was likely to ensue. Ireland did not covet the supply of the foreign markets, nor was it pro-

* Lord North.

bable that she would furnish Britain with the produce of her own colonies in any great degree. Ireland was to have the liberty of bringing to Britain, circuitously, what she herself had the liberty of bringing directly. It must be proved that Ireland could afford this circuitous supply cheaper than Britain herself could give the direct supply, before any idea of alarm or apprehension could be raised in any bosom. That fact would be inquired into. It would be inquired, whether there was any thing in the local situation of the ports of Ireland, which would enable her to make this circuitous voyage cheaper than we could make the direct one; whether the nearest way to England was through the ports of Ireland. He had no reason to believe that the freight was cheaper from Ireland to the West Indies, than from England. Then there was to be super-added to this equal freight, the freight between Ireland and Britain, which would operate as a very great discouragement; for he had reason to believe, that this super-added freight would be, on the average, a fourth of the original freight. He wished to avoid figures and unauthorised assertions; but all this would be subject of inquiry; and to this he must add the double insurance, double commission, double port duties, and double fees, &c. all of which would operate most severely against Ireland.

There was one other observation on this part of the subject. It was not merely a question, whether Ireland should be able, by local advantages and resources, to become the carriers, but we were to compare the contest between ourselves and them. Ireland could now send a cargo to the West Indies, and bring a cargo directly to Britain; or she could invoice a part of her cargo to Britain, and part to Ireland. The question was, therefore, whether her original cargo was to be afforded cheaper, whether her shipping and navigating were cheaper, and whether, with all these advantages, it could be possible that this circuitous trade could be cheaper than the direct trade?

All this would be searched to the bottom; and in this view of the subject, the discussion would be fair; but nothing would be more unfair than to contend, that this new commerce would be

contrary to the act of navigation. It ought to be a question, how much of the wealth of this nation might center in Ireland by this measure ; but in looking into the spirit and meaning of the navigation act, nothing could be more absurd than to say that it was contrary to that act. The principle of that act was the increase of the British shipping and seamen. Here then this principle was out of the question ; for in several acts, and in one passed so lately as 1778, Irish shipping and seamen were to be considered as British. There was not then that degree of danger in adding this to the other concessions which had been made to Ireland.

The other great and leading principle in this branch of the measure was the equalising of the duties on the produce and manufactures of both countries ; and this he would explain very shortly. On most of the manufactures of Ireland, prohibitory duties were laid in Britain : linen, however, was a liberal exception. On the contrary, our manufactures had been imported into Ireland at low duties. It was now the question, whether, under the accumulation of our heavy taxes, it would be wise to equalise the duties, by which a country, free from those duties, might be able to meet us, and to overthrow us in their, and in our own markets ? Upon this he would state some general observations as shortly as possible. A country not capable of supplying herself, could hardly meet another in a foreign market. They had not admitted our commodities totally free from duties—they bore, upon an average, about ten per cent. ; but it was very natural that Ireland, with an independent legislature, should now look for perfect equality. If it be true, that, with every disadvantage on our part, our manufactures were so superior that we enjoyed the market, there could be no danger in admitting the Irish articles to our markets on equal duties. What strong objections could be started ? Every inquiry had been made, and the manufacturers with whom he had conversed had not been alarmed at the prospect. On our side, on account of our heavy internal duties on some articles, port duties must be added on the equalising principle ; and he trusted that all little obstacles would be over ruled.

It was said, that our manufactures were all loaded with heavy taxes—it was certainly true; but with that disadvantage they had always been able to triumph over the Irish in their own markets, paying the additional ten per cent. on the importation to Ireland, and all the charges. But the low price of labour was mentioned. Would that consideration enable them to undersell us? Manufacturers thought otherwise; there were great obstacles to the planting of any manufacture. It would require time for arts and capital, and the capital could not increase without the demand also; and in an established manufacture improvement was so rapid as to bid defiance to rivalry. In some of our manufactures, too, there were natural and insurmountable objections to their competition. In the woollens, for instance, by confining the raw material to this country, the manufacture was confined also.

There might be some branches in which Ireland might rival, and perhaps beat England; but this ought not to give us pain: we must calculate from general, and not partial views, and above all things, not look on Ireland with a jealous eye. It required not philosophy to reconcile us to a competition which would give us a rich customer instead of a poor one. Her prosperity would be a fresh spring to our trade.

One observation more on this branch, and that was, that the price of labour, proportionably lower now, was an advantage which would be constantly diminishing. As their manufactures and commerce increased, this advantage would be incessantly growing less. For these reasons he did not think that England had any thing to fear in the proposed scheme of equalizing the duties on the admission of their mutual produce.

Having said so much about what was to be given by England, he should pass next to the other part of his proposition, without which the former would be an improvident surrender of advantages belonging at this moment to Great Britain—he meant the return that was to be made for them by Ireland. He could not, at the outset of this business, expect that any specific sum should be proposed by the Irish parliament, towards defraying the ex-

pense of protecting the commerce of the empire; because it was impossible for them to ascertain at present, or for some time to come, the amount of the advantages that the Irish would derive from this system; on the other hand, it would have been improper not to stipulate for something. He had, therefore, thought it best for this country, that she should have some solid and substantial provision for what should be stipulated in her favour, and that should keep pace with benefits that the system would produce to the Irish; for this purpose it had been agreed, that the provision should consist of the surplus of the hereditary revenue, whenever there should be a surplus; and this fund, the committee would perceive, from what he was going to state, was precisely that from which it could be best collected, to what degree the Irish should have been benefited by the commercial regulations.

The hereditary revenue in Ireland was that which was inseparably annexed to the crown, and left to the king to be disposed of at his discretion, for the benefit of the public. It was pretty much like the hereditary revenue that was formerly annexed to the crown in this country, and which was given up by his present Majesty for a certain annuity: above four-fifths of the Irish hereditary revenue was raised in such a way, that the whole must necessarily increase, with an increase of commerce. It was raised from three several objects:—from customs, the produce of which must necessarily be greater, when the customed goods imported into Ireland should be more in value than they had hitherto been; from 10 per cent. on other kinds of goods entered, which must of course bear always a proportion to the extent of the trade;—from hearths; an increase of population would produce an increase of houses, and an increase of houses would necessarily produce an increase of hearths, and consequently of this branch of the revenue;—from an inland excise, which, depending always upon consumption, must always rise with population and property, and consequently, should the trade and population of Ireland exceed in future what they were at present, the hereditary revenue would be benefited by both. This revenue had not, indeed, for many years back, been equal to the ends

for which it had been granted to the crown ; and the deficiencies had been made up by new taxes imposed by the Irish parliament : it did not at present make above half of the whole ; by the papers on the table, it appeared that it produced at present 652,000*l.* a year. For some time back there had been an arrear incurred, the expenses of the state being greater than its income ; but he understood that steps were to be taken to bring both to a level, and then a reasonable hope might be entertained, that, if the trade of Ireland should grow more flourishing, there would be a considerable surplus on this revenue, applicable to the protection of the common trade of the empire and he indulged this hope the rather, for that several years back, when government took care that the expenditure should not be greater than the income, the hereditary revenue produced 690,000*l.* a year, though the commerce of the country was at the time shackled with innumerable restraints : what then might be expected from it, when that trade on which it depended should be enlarged ?—Then it would be found that our strength would grow with the strength of Ireland ; and, instead of feeling uneasiness or jealousy at the increase of her commerce, we should have reason to rejoice at such a circumstance, because this country would then derive an aid for the protection of trade, proportioned to the increase of commerce in Ireland. He did not mean that we should very soon experience any very great assistance from this revenue, because it would take some time before new channels of trade could be opened to Ireland : but from the nature of this fund it would appear, that if little should be given to England, it would be because little had been gained by Ireland ; so that, whether much or little should be got from it, England would have no cause to be dissatisfied : if much should be got, she would be a gainer ; if little, it would be a proof that little of the commerce of England had found its way into Ireland ; and consequently there could not be much room for jealousy. The parliament of Ireland had readily consented to the appropriation of the surplus out of the hereditary revenue, to the defence of trade ; but though he did not in the least doubt the intention of that parlia-

ment liberally to fulfil what had been so readily resolved, yet in a matter of so much moment to Great-Britain, he felt that he ought not to leave any thing to the generosity or liberality even of the most generous and liberal. As it was his object to make a final settlement in this negociation, and to proceed upon a fixed principle, he wished it to be understood that, as he meant to insure to Ireland the permanent and irrevocable enjoyment of commercial advantages, so he expected in return, that Ireland would secure to England an aid as permanent and irrevocable. The resolution of the Irish parliament on that point was not worded in as clear a manner as he could wish. It stated, "That for the better protection of trade, whatever sum the gross hereditary revenue of the kingdom (after deducting all drawbacks, repayments, or bounties in the nature of drawbacks) shall produce annually over and above the sum of ———, should be appropriated towards the support of the naval force of the empire, in such a manner as the parliament of this kingdom shall direct." Now this did not plainly hold out the prospect of this surplus being irrevocably applied to this purpose; and as this was with him a *conditio sine quâ non*, he would not call upon the committee to pledge itself to any thing on the subject, till the parliament of Ireland should have reconsidered the matter, and explained it more fully.

Such, then, was the outline of the plan he intended to propose: the minute parts of it, would, no doubt, be open to full and fair investigation; and gentlemen would consequently be at liberty to call for any information that could possibly be procured. He flattered himself, that after what he had stated on different points, fears and jealousies would be laid aside. Gentlemen would see that except the mere intercourse with respect to certain articles between the two kingdoms, all the rest of the globe, not included in the East India company's charter, was already open to Ireland; nay, that she could by law at this moment supply England circuitously through her own ports, with every sort of West-India commodities; and therefore, that whatever ground there might have been a few years ago for alarm, there was little or none now, when so little remained to be done. He

did not apprehend that any manufacture in this country would immediately feel any bad consequence from the commercial extension to Ireland, or that any number of English manufacturers would be thrown upon the world for want of employment, or that they could be so soon rivalled and surpassed in any branch, as not to have time first to turn their thoughts to some other line of business ; but should even an inconvenience of this kind happen in some small degree, it would be over-balanced by the good consequences that must attend the proposition he had to make : for, in the first place, it would form a final adjustment of commercial interests between the two countries ; it would allay discontents in Ireland, and restore peace and harmony to the remaining branches of the empire ; and secondly, if it took any thing from England in one way, it would highly benefit her in another, by providing a relief to her in the heavy expenses of protecting trade. He concluded, by moving the following resolution : “ That it is the opinion of this committee, that it is highly important to the general interest of the empire, that the commercial intercourse between Great-Britain and Ireland shall be finally adjusted ; and that Ireland should be admitted to a permanent and irrevocable participation of the commercial advantages of this country, when the parliament of Ireland shall permanently and irrevocably secure an aid out of the surplus of the hereditary revenue of that kingdom, towards defraying the expense of protecting the general commerce of the empire in time of peace.” He observed, that, consistently with what he had said of the necessity of a further explanation on the part of the parliament of Ireland, respecting the permanency of the aid to be given for the protection of trade in general, he could not call upon the committee to give an immediate opinion upon his proposition ; he would not, therefore, press for a vote now, but, on the contrary, would move that the further consideration of the resolution should be adjourned to a future day.

March 9, 1785.

DEBATE on a motion made by Mr. Fox, "That the former resolutions respecting the Westminster Scrutiny be rescinded and erased from the journals."

Mr. PITT declared, that he had given the minutest attention to every thing that had fallen on either side of the house, and particularly to the right honourable gentleman,* not with any hopes of finding a new light thrown either on the legality or expediency of the question, but because he had been desirous to discover how far the ingenuity of gentlemen would go in giving an apparent diversity to arguments, which had already been so repeatedly handled in every shape that invention and subtlety could possibly give them. In aid to all the authorities which had already been adduced, the right honourable gentleman had resorted to new authorities of his own creation, those of the lord chancellor† and the chief justice of the king's bench‡. Gentlemen, no doubt, must have at first imagined that the right honourable gentleman had come to the house armed with the express opinions of those great luminaries of the law, by the confidence with which he had used the sanction of their names to enforce his argument; but after availing himself for about a quarter of an hour of the credit which he assumed on the supposition of their opinions, he had at last thrown off his borrowed ornaments, and confessed that in the supposed opinions of those great men he had been only gratifying his imagination in contemplating in them, as in a mirror, his own conceptions. He wondered that with regard to the latter of those noble and learned personages, who had been so long ago, as the right honorable gentleman had mentioned, a "practical lawyer," it had not been observed, that he was a practical lawyer, just about the period of the scrutiny on the contest for Westminster between Trentham and Vandeput, and at that very time in a high department under government. He wished the right honourable gentleman had not forgot to refer to another authority—an authority, which, while true dignity of character, unbounded information, abi-

* Mr. Fox.

† Lord Thurlow.

‡ Lord Mansfield.

lities of the most unparalleled magnitude, and an integrity on which no party had ever attempted to fix a stain, should continue to be respected, would ever be an object of the love, the gratitude, and the admiration of England;—the authority to which he alluded, was that of a noble lord,* who had formerly been chief justice of the court of common pleas, and afterwards chancellor of England, and who, he was happy and proud to say, was now at the head of his Majesty's councils. He presumed it would not be contended as probable, that that noble lord was of the same opinion as the right honourable gentleman; or, no doubt, he would also have availed himself of the strength which the supposed accession of his opinion would have given his motion. Another authority had been offered, and it was an authority to which he paid as great a degree of respect as the right honourable gentleman possibly could—the resolutions of the city of York. This authority was not, like the others, merely imaginary; and he rejoiced it was not so, as it was decidedly in his (Mr. Pitt's) favour: for so far from desiring the house to correct the abuse complained of, in the manner in which they were, by this motion, pressed to do, the object of those resolutions was nothing more than an exact type of what had already been declared by so many of his friends to be the proper and necessary remedy, and which it was, and had been, ever since the abuse had arisen, his resolution to apply.

With respect to the animadversions which he had levelled against his learned friend near him (the attorney general) they were such as he was sure could make no impression on himself, or the house. The learned gentleman (setting aside the consideration to which he was entitled from abilities, that, he would venture to say, were not surpassed in his profession) might well expect that some degree of credit was due to the high office he filled, especially on a question of this nature, where it was not in issue merely whether the conduct complained of was, on a close and deep investigation, contrary to the abstruse and more difficult point of law; but whether it was so manifest and so gross a vio-

* Lord Camden.

lation of plain, avowed, and important principles, as must have proceeded from intentional corruption, or unpardonable error, which could alone justify the measure now demanded;—a measure of so delicate a nature, that it certainly ought never to be resorted to on light and frivolous grounds, nor could it be adopted without the danger of introducing a wantonness and inconsistency into the conduct of parliament, that must effectually overturn all the good purposes of its institution—a measure that called upon the house in express terms to avow their own repeated resolutions, formed on the most mature deliberation, and the most patient debate and discussion, to be the offspring either of wilful dishonesty, or of the most disgraceful ignorance. For his own part, he said, that however he might have altered his sentiments, in respect to the expediency of the resolutions which the house was now called upon to rescind, he had by no means departed from his firm persuasion of the legality of those resolutions. The house had been warned against adopting legal analogies as the ground on which they were to decide the present question; positive precedents were insisted on as the only documents that could support the legality of the scrutiny. He argued, that the doctrines of the gentlemen on the other side of the house, went to establish the necessity of a returning officer's sacrificing the *substance* to the exigency of the writ. It would ill become him, the avowed advocate for a pure representation of the people, and it would tend very little towards procuring for him the confidence of the public towards his profession on that subject, were he by any means whatsoever to contribute to the increasing of the many defects which were at present so justly complained of in the constitution of parliament; and surely there could be no greater abuse than that of compelling a returning officer to make a return of members, who were not elected by a majority of legal votes: yet this must be the case in many popular elections, if the returning officer, on a fair suggestion and rational belief of improper practices on the poll, had not the power of examining by a more regular and accurate mode, than the nature of such an election, according to the usual method of conducting them, was capable of affording.

The right honourable gentleman had disputed the calculation of the right honourable and learned gentleman (the master of the rolls)* of the time allowed to the sheriffs of London to make their return, by the statute of 13 Geo. II. in order to overturn the argument of analogy, which had been drawn by that gentleman, who, though he had given the assistance of his opinion, he was sorry to inform the house, would not be able, from a domestic misfortune, to contribute his vote upon the question. That calculation, however, of his right honourable friend he would venture to adhere to, as he knew it to be strictly accurate. By that statute, the time allowed to the sheriffs was fifty-two days: now the only question, with regard to the time for summoning a parliament, was, whether it was forty or fifty days; this, the right honourable gentleman had well imagined, was, at the time of the dissolution of the late parliament, a subject of consideration with ministers, and from that consideration which he had given, he was ready to affirm, that it might lawfully be summoned in forty days. With regard to the argument drawn from the clause in the act of union, that fifty days were positively prescribed, as the shortest time, that clause, he said, did not apply; the object of that clause was merely local, temporary, and partial, for it related only to the kingdom of Scotland, to the members for Scotland, and to the first parliament that should meet for the united kingdoms. It enacted, that it might be lawful for her Majesty, at any time, to call the then parliament of England, and also to issue writs for the election of the Scotch members, to meet in that parliament, but that there should be fifty days allowed between the issuing of the writs and the assembling of the parliament: the usual term was thus prolonged, in order to afford leisure for the confusion, consequent on the new arrangement, then taking place, to subside. Still, however, he would concede to the right honourable gentleman the difference between forty and fifty days, and take it at fifty: in this concession he lost nothing; for all he wanted was a principle, which he would find in either case, namely, that by absolute and positive statute, the

* Sir Lloyd Kenyon.

very thing is allowed which the gentlemen on the other side complain against as contrary to all law, common sense, justice, or precedent—the continuation of an election or scrutiny, (for it was hard to discriminate between them) after the meeting of parliament, and consequently after the return of the writ. For if the parliament might meet in fifty days, and the election for London be deferred for fifty-two, then it was evident, that the principle was sufficiently established, as in a case of this nature two days were as strong as two hundred. He should be happy to hear any of the ingenious and learned gentlemen on the other side attempt an answer to this.

But if he should not be allowed the benefit of a *legal analogy* with this act for the city of London, by the candour of those gentlemen, he would, at least, satisfy them with a *precedent*. The case of Trentham and Vandeput was that precedent: to prove this precedent fully adequate to the case, or as an honourable gentleman* opposite to him would, perhaps, call it a *simile in point*, he would lay down an alternative — a scrutiny either is, or it is not, a part of an election. If it be a part of an election, then the election cannot be said to be finished while the scrutiny continues, and, not being finished, no members can be chosen, because the event and termination of an election must be the choice of members: in this part of the alternative the right honourable gentleman had nothing to complain of, because the scrutiny not being determined, the election of course was not finished, and the election not being finished, he certainly could not have been chosen by an imperfect and unfinished election. The other part of the alternative put the right honourable gentleman into a worse situation, because it overturned the whole of his objections to the analogy between the late scrutiny for Westminster and the former one: for if he contended that a scrutiny was not a part of an election, then did the house of commons do, in that instance, exactly what they have done now; for they sent the candidates back to a scrutiny, after the day on which the writ was returnable;—a day which, though not ascertained in the writ by

* Mr. Adam.

name, had been sufficiently identified by description, namely, the 14th day after the conclusion of the election. Now this day being thus ascertained, from the conclusion of the election, brought the two cases in spirit exactly to the same point, stripping them of that distinction which it was so much the object of the gentlemen opposite him to establish, namely, the day being expressly named in the one and only described in the other. The right honourable gentleman had shewn so great a soreness on this subject of scrutinies, that, perhaps, it might embarrass him to be asked—how it came, that he himself, within three or four weeks of the time appointed for the return of the writ, threatened to demand a scrutiny? This question, as he never wished to lead any man into an embarrassment, out of which he was not equally willing to extricate him, he would endeavour to answer in some degree; and having already presented the gentleman in the last head of his argument with two, he would here give him three divisions of that question. The right honourable gentleman, then, had one or the other of the three following objects in view: first, he either thought that the subject of the scrutiny was of so simple a nature, that he hoped to see it decided in his favour in so short a time as the remainder of that appointed for the return of the writ; and certainly, if to the right honourable gentleman, who knew so much of the business, it appeared to promise so speedy an issue, the house were not much to blame in hoping that an end might be put to it in a period not much longer: if this was not his reason, perhaps it was, that he then believed a scrutiny might legally be carried on, after the strict exigency of the writ demanded a return; in that also the house could not be to blame: finally, if neither of these were his reasons and his intentions, they must have been this;—that he was conscious that he had no right, and therefore proposed a scrutiny, in order that, that scrutiny not being completed against the return of the writ, the high bailiff must have made such a return, as, on the grounds of the scrutiny not being completed, would necessarily pave the way to a fresh election. Of these three motives, he observed, that two only were in any de-

gree excusable; and in case of either of those two excusable motives, the house stood qualified on the principles of the right honourable gentleman himself.

With respect to those authorities, which, he said, of all others should be most earnestly sought after by the house, namely, statutes, he should say a little, because the gentlemen on the opposite side of the house had seemed to rely so much on them, in matters to which, in his opinion, they had no relation. Here he went into the argument which the attorney-general had introduced on the necessary difference which must have arisen in the conducting of elections, from the changes which had taken place in the nominal value of property, and from other circumstances which had crept in with it. From hence he argued, that the acts of Henry VI. and VIII. did not attach to the present question, inasmuch as, so far from an instance similar to the present being then in the contemplation of the legislature, the very seeds, from whence this instance sprung, had hardly been sown; for scrutinies, or the necessity of them, as they were now understood, were then not only unnecessary and absurd, but absolutely unknown and inconceivable. The right honourable gentleman had another ground of uneasiness, on the subject of the irregularity of the form by which he had been seated in that house as member for Westminster, because the precept was not originally annexed to the sheriff's writ, on its return to the crown office. What, then, had the member for Westminster so soon forgot the concerns of the member for Kirkwall? Did he forget, that in the precept, which returned that member, there was the very same irregularity that was here complained of? But in that instance the right honourable gentleman had to blame himself and his friends alone; nor did he see any other person liable to censure on the present occasion.

He should be glad to know what was the object of the right honourable gentleman in this motion, if other than to entrap the house into a measure that would fix an indelible stain upon them, the very proposing of which was an insult, if not to their honour and integrity, at least to their understanding? Why, it must be

to obliterate all recollection of the transaction, so that it should not afford a single document, to tell to the world, that it ever existed. If this was his object, he must go farther than the present motion would lead him; he must erase from their journals the petition of the electors of Westminster, unless he thought, perhaps, that the reproaches, with which it was qualified in some measure, might compensate for its poisonous tell-tale qualities; he must remove from the table that heap of unfounded and unsupported assertions, which he triumphantly alluded to, as a body of solid, substantial, and irrefragable proof; he must storm the crown office for those parchments, which he knew not how properly to describe, but as a heap of corruption and inconsistency, but which heap of corruption he himself sent there. There was one argument used by a learned gentleman who spoke early in the debate, why that resolution should be erased from the journals, for which he begged to return him his sincere thanks, because it applied with all the force it had, to the contrary side of the question. The learned gentleman said, it ought to be erased, because the house passed it in their *judicial* capacity. He congratulated the gentlemen of the bar on this new principle which was thus to be introduced into the jurisprudence of the country. What! erase a judicial resolution! A man must have a very vague idea of the law indeed, if he imagined that such a proceeding could agree with any of its principles. No. Every decree, judgment, order, or decision of any court of justice must always remain on the records of the court, right or wrong; there it must remain on its own merits, to be followed and imitated, if it were right; to be avoided, if wrong; but always to shew what the idea of the court was at the time it was made.

Great emphasis had been laid by each side of the house on two cases, which were imagined for the sake of argument, he supposed, for no man could be wild enough to suppose it possible either should ever exist in fact; one was, that by the precedent of that scrutiny, the returning officers of this kingdom had a power, on the slightest suggestion, or without any suggestion at all, to withhold their returns, or to make ineffectual returns,

similar to that of the high bailiff, and thus prevent the meeting of parliament at all. On the contrary, it had been put from this side of the house, that, if they overturned the right of the officer, to whom the writ or precept was directed, to satisfy himself by a more cool investigation than could possibly be had during the poll, then that house, by a parity of argument, might be filled with such ragamuffins as should, by assembling men like themselves at the place of poll, obtain a fraudulent majority. He should not attempt a comparison between the two misfortunes, but he would only say, that of such two *extreme cases*, the last was as likely to happen as the first: and, since the gentlemen were so fond of exaggerated and extravagant cases, he could furnish them with another, which occurred to him from the expedient that had been proposed from the other side of the house, of making a double return in doubtful cases;—now by that means all the returning officers in the kingdom might, by entering into a wicked conspiracy, by all making double returns, keep the house empty. But he thought an argument, which could only be supported by such hard-strained and far-fetched imaginations as those, was scarcely worth the holding. That stood upon different grounds; it was intrenched behind the strong holds of law, of justice, and of expediency.

The right honourable gentleman had threatened the house, that if it refused to comply with his motion at the present, it would only be postponing their disgrace, for he would never rest satisfied, until by perseverance and a constant agitation of the question, he should have at last accomplished that desirable object. That period of triumph, he was happy to find the right honourable gentleman did not think at present to be near at hand, for he had left himself an interval of one, or two, or, perhaps, more years, for his successive efforts. Nor should he be surprized, if the endeavours of the right honourable gentleman should at length be crowned with success: for, together with his knowledge of his great ability, and the pertinacious industry with which that ability was sure to be supported, on every occasion that called forth his interests, his passions, or his party attach-

ments, he was besides prepared to expect, that there might possibly be a house of commons under the influence of the right honourable gentleman, which would act on different principles, and with different views to those, which formed the motives and the objects of the present house of commons; and he should be happy to find, that, in such a contingency, he might have nothing more dangerous to complain of, than a vote of disapprobation of him and his friends. Such a house of commons had already been seen, and, perhaps, might be seen again; and he would in that case be willing to compound on the part of his country, that he alone, or even the very respectable body of his friends, which at this day formed a majority in his favour, might be the victims of the pride and ambition of the right honourable gentleman; but that the present house should ever suffer themselves to be imposed on so far, as to sign their own condemnation, on the unfounded suggestions which had given rise to that day's debate, was an event that he never could fear. For, if the plainest legal analogies, the most obvious precedents in point, the strongest convictions of reason and of right, together with the pride of consistency, and the jealousy of incorruptible, but insulted integrity, were not of themselves sufficient to preclude every possibility of a compliance with the present motion, still there was another motive more binding on their feelings and on their justice, (though in itself not of equal importance) which there could be no doubt would operate to confirm the house in an adherence to its former principles; this was the situation into which the high bailiff of Westminster would be betrayed by such a conduct. This man, on the credit and faith of the house, had been reduced to proceed on the scrutiny: for that proceeding he was now threatened with a penal action; and would the house, by rescinding the resolutions which had formed the basis of the high bailiff's determination to prosecute that line of conduct which had subjected him to those threats, seem, by abandoning the principles on which the whole proceeding had been founded, to prejudge a question which was to be the object of a judicial inquiry?

Here he took occasion to exult in the complexion of the present house of commons, which, notwithstanding the disadvan-

tages that attended its constitution from the imperfect mode of its election, retained so much of the characteristic dignity of the British nation, as it had evinced in every stage of its existence. He attributed this, in a great measure, to the right honourable gentleman,* and his colleagues in office, who by pressing forward a crisis, the most momentous and important any part of our history presented, had roused every exertion of public spirit that remained among the people, and had concentrated the whole weight of those exertions in the assembly before whom he had the honour to stand. The present house of commons, with a manliness and liberality that became the representatives of a manly and a liberal people, had proceeded hitherto in the face of all those prejudices which had so long bound down and restrained the faculties of the nation, to the reform of all abuses that militated against the great end of their free constitution. He was still in hopes, farther, to see every local prepossession, which now stood between the empire and its true interests, vanish; and he derived a flattering presage, from the character of the house, that the great question which was nearest to his heart—that, on which the whole and only prospect of a final triumph over every obstacle to greatness and to glory depended—that alone, which could entitle Englishmen to the appellation of free, and that alone, which could ensure to wise, to virtuous, and to constitutional endeavours, a victory over factious ambition or corrupt venality—the great and stupendous question of a parliamentary reform, would be taken up with a degree of determined and upright boldness, that must soon be crowned with success. In that case, he could not help flattering himself, that, at the remote period to which the right honourable gentleman looked forward for the completion of his meditated triumph, he would, perhaps, find a parliament, that, like the present, should speak the sense of the people—of a people, who had, in a most specific and decided manner, already passed judgment between him and the right honourable gentleman; and he warned gentlemen, particularly those whom the right honourable gentleman had so re-

* Mr. Fox.

peatedly marked with the most insolent contempt and invective, those new members, with whom the house was crowded on the opening of the session, "men, whose faces nobody was acquainted with," how they trusted to those professions of regard and affection, those meritricious blandishments, which one successful day's good humour had drawn from the right honourable gentleman, to lure them into a dereliction of principle, a violation of law, and an undeserved self-condemnation!

An explanation afterwards from Mr. Fox, wherein he charged the assertions of the Chancellor of the Exchequer as being false in fact, and calculated solely for the purpose of rounding his periods to captivate the House, induced Mr. PITT to rise again:

He was entirely satisfied, he said, that no person in that house would believe him capable of inventing and throwing out any charge or assertion whatsoever, for the purpose of "rounding his periods." He desired the house to recollect, whether the expressions he had made use of in his speech, of the house being crowded by "new members, men whose faces nobody was acquainted with," had not fallen from the right honourable gentleman; whether he had not repeatedly endeavoured to depreciate the respectability of the house by his repeated assertions, that it had been chosen under a delusion, and that it seemed to act under a similar delusion; and whether he had not repeatedly thrown out the most pointed invectives against that East-India phalanx which had absorbed and swallowed up all the faculties of the executive government.—

Here he was interrupted by Mr. Fox, who again positively denied having used the expression, "that the House was filled with faces which had never been seen there before," and contradicted the charges which the right honourable gentleman had advanced.

Mr. Pitt was proceeding to enter into a more minute detail of the instances of disrespect shewn by Mr. Fox to the House, when he was called to order for alluding to what had passed in former debates; and on the Speaker's interposing and stating that such allusions were disorderly, and contrary to the rules of the House,

MR. PITT rose once more, and assured the Speaker that he

was not going to violate the established order; but that he thought it highly unbecoming in the right honourable gentleman to throw out such language as the house had just heard—language tending to fix the stigma of falsehood and dishonour on a member of that house, at a time when his general denial could not, by the orders of the house, be called into question. That for his own part, being precluded from coming to the proof of the truth of his assertions, he had only to rest satisfied, that the memory of many gentlemen in the house, and his own reputation, would do him justice. I cannot, he concluded, enter further into the reality of what I have advanced, but I maintain it.

The question for rescinding the resolutions was negatived,

Ayes 137

Noes 242

April 18, 1785.

Mr. PITT, in conformity to the notice he had given, again called the attention of the House to the subject of a Reform in the representation of the people :

In entering upon this subject, he said, he was aware of the division of sentiment, and of the pertinacity with which some men adhered to opinions inimical to every species of reform. But he rose with hopes infinitely more sanguine than he ever felt before, and with hopes which he conceived to be rationally and solidly founded. There never was a moment when the minds of men were more enlightened on this interesting topic than now; there never was a moment when they were more prepared for its discussion. A great many objections which from time to time had been adduced against reform, would not lie against the propositions which he intended to submit to the house; and the question was in truth new in all its shape to the present parliament.

He was sensible of the difficulty there was now, and ever must be, in proposing a plan of reform. The number of gentlemen who were hostile to reform, were a phalanx, which ought

to give alarm to any individual upon rising to suggest such a measure. Those who, with a sort of superstitious awe, reverence the constitution so much as to be fearful of touching even its defects, had always reprobated every attempt to purify the representation. They acknowledged its inequality and corruption, but in their enthusiasm for the grand fabric, they would not suffer a reformer with unhallowed hands to repair the injuries which it suffered from time. Others, who, perceiving the deficiencies that had arisen from circumstances, were solicitous of their amendment, yet resisted the attempt, under the argument, that when once we had presumed to touch the constitution in one point, the awe which had heretofore kept us back from the daring enterprize of innovation might abate, and there was no foreseeing to what alarming lengths we might progressively go, under the mask of reformation. Others there were, but for these he confessed he had not the same respect, who considered the present state of representation as pure and adequate to all its purposes, and perfectly consistent with the first principles of representation. The fabric of the house of commons was an ancient pile, on which they had been all taught to look with reverence and awe: from their cradles they had been accustomed to view it as a pattern of perfection; their ancestors had enjoyed freedom and prosperity under it; and therefore an attempt to make any alterations in it would be deemed, by some enthusiastic admirers of antiquity, as impious and sacrilegious. No one revered the venerable fabric more than he did; but all mankind knew that the best institutions, like human bodies, carried in themselves the seeds of decay and corruption; and therefore he thought himself justifiable in proposing remedies against this corruption, which the frame of the constitution must necessarily experience in the lapse of years, if not prevented by wise and judicious regulations.

To men who argued in this manner, he did not presume to address his propositions, for such men he despaired of convincing; but he had well-grounded hopes, that in what he should offer to the house, he should be able to convince gentlemen of

the former descriptions, that though they had argued so strongly against general and unexplained notions of reform, their arguments would not weigh against the precise and explicit proposition which it was his purpose to submit to them. The objection to reform, under the idea of innovation, would not hold good against his suggestion, for it was not an innovation on any known and clear principle of the constitution. Their objection to reform, because it might introduce habits of change and alteration, of which no man could foresee the extent or termination, would be equally inapplicable to his plan, for in his mind it would be complete and final. In his mind, it would comprehend all that a rational reformer would think it necessary now or at any time to do, and would therefore give no license to future or more extensive schemes. The argument, that no alteration of the number of members composing the house ought at any time to be suffered, and that no reform of the representation in what was emphatically called the corrupt parts, ought to be accomplished by an act of power, would be equally inapplicable; for, by his proposition, he meant to lay it down as a first principle, that the number of the house ought to remain the same, and that the reform of decayed boroughs ought not to proceed on disfranchisement. This, he said, was the third effort made by him, since he had the honour of a seat in parliament, to prevail upon the legislature to adopt a reform in the representation of the people. He had twice failed in his endeavours to effect this salutary purpose, and yet he was not discouraged from renewing them this day: he was encouraged by two circumstances which he had not in his favour on the former occasions. The reform which he now meant to propose, was more consistent with the views of the best and most moderate men; and this was a new house of commons, that had never been consulted on the subject of reform, and consequently had not, like the two last, negatived a proposition made for introducing it. Therefore, though the subject might be thought stale by the public, as it had been so frequently agitated, it was perfectly new to the house of commons which he had then the honour to address.

That gentlemen should have set themselves against general and unqualified notions of reform he did not much wonder ; and that they should be still more inimical to the vague, impracticable, and inconclusive chimeras which had been thrown out at different times by different reformers, he was not astonished. Reverencing the constitution, and feeling all the pride of an Englishman on the experience of its beauty, even with all its blemishes, it was no wonder that gentlemen should be alarmed at suggestions which were founded on no principle, and which admitted of no limit. But there were certain propositions, in which he had reason to think that all men must coincide. If there were any specific means of purifying the state of representation on its first principle, without danger of altering the fabric, and without leaving it either in uncertainty or disorder, such means ought, with becoming caution, to be used. On this clear and indisputable proposition it was that he wished to go. It was because he imagined that a plan might be formed, congenial with the first principles of representation, which would reform the present inadequate state, and provide in all future times for as adequate and perfect a state of representation as they could expect to arrive at, in the present circumstances of the country. He was aware, when he spoke in this manner, that the idea of general and complete representation, so as to comprehend every individual, and give him his personal share in the legislature of the country, was a thing incompatible with the population and state of the kingdom. The practicable definition of what the popular branch of our legislature was at this day, he took to be precisely this :—An assembly freely elected, between whom and the mass of the people there was the closest union and most perfect sympathy. Such a house of commons it was the purpose of the constitution originally to erect, and such a house of commons it was the wish of every reformer now to establish. Those who went farther—those who went to ideas of individual representation, deluded themselves with impossibilities, and took the attention of the public from that sober and practicable path in which they might travel safely and with ease, to launch them

into an unbounded sea, where they had no pilot to direct, and no star to guide them.

Solicitous as he was of reform, he never could countenance vague and unlimited notions. It was his wish to see the house adopt a sober and practicable scheme, which should have for its basis the original principle of representation, and should produce the object which every lover of our constitution must have in view—a house of commons between whom and the people there should exist the same interest, and the most perfect sympathy and union. It was his purpose to see an arrangement made, which, while it corrected the present inadequate state of representation, should keep it adequate when made so, and should give to the constitution purity, consistency, and, if possible, immortality. Such was the sanguine idea which he entertained from his project, and such, he trusted, would be the sentiment of the house upon its exposition. Whatever argument might be adduced against its practicability, and what against its expediency, he trusted that the old argument of innovation would not be alleged. As he had said, it was not an innovation; and he was sure that gentlemen would agree with him in this sentiment, when they turned their eyes with him back to the earliest periods of our history, and traced the practice of our ancestors in the purest days.

He considered it on such a review, as one of the most indisputable doctrines of antiquity, that the state of representation was to be changed with the change of circumstances. As far back as the period of the reign of Edward I. which was the first time when they could trace distinct descriptions of men in the representation, the doctrine of change was clearly understood. The counties were not uniform; the number of members was frequently varied; and from that period to the reign of Charles II. there were few reigns in which representation was not varied, and in which it did not undergo diminutions or fluctuations of some kind or other. Those changes were owing to the discretion which was left in the executive branches of the legislature, to summon or not to summon whom they pleased to parliament.

The executive branch of the legislature was vested with this discretion on no other principle, than that the places, which might for the time being have such a share in the general scale of the people, as should entitle them, or rather subject them, to the duty of sending members to the representative body, might be appointed to do so. In this very discretionary power the principle of alteration was visible, and it manifested the original notion which our forefathers had of representation to be this:—That whereas it was impossible that every individual of a populous country could make choice of a representative, the task should be committed to such bodies of men as might be collected together in communities in the several districts of the kingdom:—and as such communities must from their nature be fluctuating and moveable, that the crown should have the discretion of pointing out which of them were proper, from their size and scale, to execute this duty for the rest. Every man must acknowledge that to have exercised this discretion otherwise than soundly, must have been a high grievance; and he needed not to say, that if it were now vested in the crown, and that ministers might fix on such places as they pleased for the choice of members, there was not a man in England who would not consider the liberties of his country as extinguished. Such discretion, however, did exist, and he mentioned it to shew, that principles in representation had been departed from, and had their existence no longer. The argument against change was an argument against the experience of every period of our history. There had not been of late any addition to the county share in the representation, except indeed of the palatines, of the principality of Wales, and of another addition which had been made since the period at which it was common to say that our constitution was fixed, the revolution, namely, the addition of all that part of the united kingdom called Scotland.

But in the borough representation the changes had been infinitely more common. Gentlemen had undoubtedly read, that, of the boroughs which used formerly to send members to parliament, seventy-two had been disfranchised, that was to say, that

the crown had ceased to summon them at general elections to return burgesses to the house of commons. After the restoration, thirty-six of these boroughs petitioned parliament to be restored to the exercise of their ancient franchise; their prayer was granted, and to this day they continue to enjoy it. But the other thirty-six, not having presented any petition on the subject, had not recovered their lost franchise. Upon this he would be bold to say, that, considering the restoration of the former, and the continued deprivation of the latter, the spirit of the constitution had been grossly violated, if it was true, (but which he denied) that the extension to one set of boroughs of the franchise of returning members to parliament, and the resumption of it from others, was a violation of the constitution. For if the numbers could not originally have been constitutionally increased, so they could not constitutionally have been diminished. But having been once diminished, to restore them might by some be said to make an innovation; and if the parliament had any authority to restore the franchise, the principle of restoration ought to have been extended to the seventy-two boroughs, and not confined to one half of them. Here then it appeared manifest, that the whole was governed by a principle which militated directly against the modern doctrine, that to do what had been constantly done for ages, by the wisest of our ancestors, was to innovate upon the constitution. The seventy-two boroughs in question had discontinued to return members, because they had fallen into decay. Thirty-six of them afterwards recovered their franchise, when they recovered their former wealth and population; but the other thirty-six, not having renovated their former vigour and consequence in the state, remained to this day deprived of the franchise which had been taken from them, when they lost the wealth and population, on account of which they had originally obtained it.

Why then was there a greater objection to any change in the representation of certain boroughs now, than there had been in former periods? Why were they more sacred now than the thirty-six boroughs which had been disfranchised, and which had

no share at present in the representation of the country? The arguments that influenced gentlemen against any change at this time, would have equally operated against the thirty-six boroughs which had from time to time been extinguished, as well as against the same number, which, having been abolished, were, from a change of their circumstances, reinstated in their privilege. In those earlier periods, such was the notion of representation, that as one borough decayed, and another arose, the one was abolished, and the other invested with the right; and alterations took place from accident or caprice, which, however, so far as they went, stood good and valid. The alterations were not made by principle; they did not arise from any fixed rule laid down and invariably pursued, but they were founded in that notion which gave the discretionary power to the crown, viz. that the principal places, and not the decayed boroughs, should be called upon to exercise the right of election.

He contended, therefore, that the same notion should now prevail, but that it should be rescued from that accident and caprice in which it had before been involved; that the alteration should be made on principle; and that they should establish this as a clear and eternal axiom in representation—that it should always be the same—that it should not depend upon locality or name, but upon number and condition, and that a standard should be fixed for its size. He would submit to the world which of the two were most anxious for the preservation of the original principle of the constitution, he who was for maintaining the exterior and name of representation, when the substance was gone, or he who, preferring the substance and reality of representation to the name and exterior, was solicitous of changing its seat from one part of the country to another, as one place might flourish and another decay? It was his idea, that if they could deduce any good principles from theory, and apply them to practice, it was their duty to do so. It was then the theory, and it had been the practice, in all times, to adapt the representation to the state of the country; and this was exactly what it was his intention to recommend to the house. Now and in all future time to adapt

the representation to the state of the country, was the idea of reform which he entertained.

Perhaps gentlemen would be apt to exclaim that this contradicted the declaration with which he set out, viz. that the plan which he meant to propose would be final and complete. When they came, however, to hear the whole of his idea, he trusted they would find that his proposition had in view not only an immediate reform, but that it comprehended an arrangement which must operate in all future time, and provide for the changes which in the nature of things must incessantly arise in a country like Britain. He wished to establish a permanent rule to operate like the discretion, out of which our present constitution had sprung. That discretion would be very improper to exist now, though, in ruder times, it was not so dangerous, when representation was rather a burthen than a privilege, rather a duty than an object of ambition. For that discretion he was no advocate; but he wished to remind gentlemen, that that discretionary power had never been wrested from the hands of the executive branch of the legislature, and that to this day there existed but the act of union to prevent the crown from adding to or diminishing the number of that house. By the act of union, the proportionate numbers for the two parts of the kingdom were fixed, and from the date of that act, but not till that act, the discretion of the crown was at an end.

The argument of withstanding all reformation, from the fear of the ill-consequences that might ensue, made gentlemen come to a sort of compromise with themselves. "We are sensible of certain defects; we feel certain inconveniencies in the present state of representation; but fearing that we may make it worse by alteration, we will be content with it as it is." This was a sort of argument to which he could not give his countenance. If gentlemen had at all times been content with this doctrine, the nation would have lost much of that excellence of which our constitution now had to boast. Who would say but that the excellence of the constitution was the fruit of constant improvement? To prove this fact required but little illustration. It was, for in-

stance, a first principle in our constitution, that parliament should meet as frequently as the exigencies of the state should require. This was a clear principle, but the periods were not fixed. Practice, however, had improved on this principle, and now it was established that parliament should annually meet.

Something like that which he meant now to recommend, did take place in very early periods of our history. It was remarkable that James I. a prince who mounted the throne with high ideas of prerogative, and who was not to be suspected of being too partial to the liberties of the subject, stated, in his first proclamation for calling a parliament, that the sheriffs of the counties should not direct such boroughs to send members, as were so utterly ruined as to be incapable or untitled to contribute their share to the representation of the country. Another period of our history, which, whatever objection he might have to its general principles, had given rise to many salutary laws; he meant in the days of Cromwell: it was declared by the Protector that there should be a greater proportion of knights than of burgesses in the house of commons. He mentioned this authority (for which, as he had said, he had, in the general, no great reverence, whose opposition to Charles I. began in licentiousness, and proceeded, as licentiousness always did, to tyranny) because it would shew, that, whatever was his respect for the constitution of the country, his opinion evidently was, that representation should be proportioned to the people represented. Lord Clarendon, in speaking of the plan of Cromwell, had said, and it was to be found in his writings, "That it was worthy of a more warrantable authority, and of better times." From these circumstances, he thought that a doubt could not be left on the mind, but that it always had been the principle of representation that it should change with the changes which the country might endure, and that it should not be merely governed by exterior and local considerations.

Feeling, therefore, that this was the clear principle of representation, he begged the house to remember, that he had told them in the outset that his plan was free from the objection of

altering the number of the house, and also from the objection of making any change in the boroughs by disfranchisement: his plan consisted of two parts; the one was more immediate than the other, but they were both gradual. The first was calculated to procure an early, if not an immediate, change of the representation of the boroughs; and the second was intended to establish a rule, by which the representation should change with the changes of the country. It was the clear and determined opinion of every speculatist, that there should be an alteration of the present proportion between the counties and boroughs, and that, in the change, a larger proportion of members should be given for the populous places, than for places that had neither property nor people.

It was therefore his intention to submit to the house to provide, that the members of a certain number of boroughs of the last description, that is, of boroughs decayed, should be distributed among the counties. He would take the criterion, by which he should judge what boroughs were decayed, from the number of houses; and this was a mode of judgment which was not liable to error, and which he conceived to be perfectly consistent with the original principle of representation. He should propose, that these members should be transferred to the counties, beginning with those that stood in the greatest need of addition. Such a reform as this was in its nature limited; for, if once the standard for the lowest county was fixed, the proportion for all must be the same, and it would be impossible to add more for any one county than for the rest. In this view of the business, he imagined that the house would agree with him in thinking, that there were about thirty-six boroughs so decayed, as to come within the scheme of such an operation. Seventy-two would therefore be the number of members to be added to the counties, in such proportion as the wisdom of parliament might direct, and this number it was his intention to propose should be fixed and unalterable. The operation must be gradual, as he intended that the boroughs should be disfranchised on their own voluntary application to parliament. Gentlemen must be aware

that a voluntary application to parliament was not to be expected without an adequate consideration being given to the boroughs; and he trusted that gentlemen would not start at the idea of such a consideration being provided for. A reform could only be brought about by two means—by an act of power, or by an adequate consideration which might induce bodies or individuals to part with rights which they considered as a species of valuable inheritance, or of personal property. To a reform by violence, he, and he was sensible many others, had an insurmountable objection; but he considered a reform in the representation of the people an object of such value and importance, that he did not hesitate in his own mind to propose and to recommend to the house the establishment of a fund for the purpose of purchasing the franchise of such boroughs as might be induced to accept of it under the circumstances which he had mentioned.

It might be asked what the consideration could be for such a franchise. He knew there was a sort of squeamish and maiden coyness about the house in talking on this subject; they were not very ready to talk in that house, on what, at the same time, it was pretty well understood, out of doors they had no great objection to negotiate, the purchase and the sale of seats. But he would fairly ask gentlemen, if these sorts of franchises were not capable of being appreciated? and whether, notwithstanding all the proud boast of its being an insult to an Englishman to ask him to sell his invaluable franchise, there were not abundance of places, where, without imputing immorality to any individual, such franchises might be purchased? Could it not be proved, that in this country estates so situated as to command an influence in a decayed or depopulated borough, and to have the power of returning two members to parliament, sold for more money than they would have done if situated in any other place, however luxuriant the soil might be, however productive its harvests? Unless, indeed, its harvests could occasionally produce a couple of members, its intrinsic value was less. There were many reasons why men might be induced to surrender this fran-

chise. In some instances, where the right of returning members was attached to the possession of an estate, and where it might be considered as an inheritance, giving to the possessor the power of doing so much good to his country, he might warrantably and honourably accept of a valuable consideration, since, by the use of the equivalent, he might be equally serviceable to the community. In some instances, persons enjoyed the franchise in consequence of a life-right; and, enjoying it only for their lives, interest would naturally induce them to accept of a consideration: others enjoyed it by a still more temporary tenure, merely by the circumstance of local residence; and to them therefore, it must be an opportunity which they would covet to embrace. Seeing the matter, therefore, in these points of view, he had no doubt, in his own mind, but that the boroughs to which he alluded would voluntarily surrender their franchise to parliament on such consideration being given. He should propose that the fund to be established should be divided into two parts, and that it should be stipulated that a larger sum should be given for perpetuities than for temporary rights. He had stated before, that this operation would not be immediate, at least to the full extent; but he had reason to believe that it would neither be slow nor distant.

The second part of his plan was to provide, that, after the full and final operation of the first proposition, that is, after the extinction of thirty-six boroughs, and the transfer of their members to the county representation, if there still should remain any borough so small and so decayed as to fall within the size to be fixed on by parliament, such borough should have it in its power to surrender its franchise on an adequate consideration, and that the right of sending the members to parliament should be transferred to such populous and flourishing towns as might desire to enjoy the right; and that this rule should remain good, and operate in all future time, and be applied to such boroughs as, in the fluctuating state of a manufacturing and commercial kingdom, might fall into decay in one part of the country, and rise into condition in another. These propositions, taken to-

gether, comprehended what he conceived to be a final and complete system, and which would ease the minds of gentlemen with respect to any future scheme of reform being attempted, or being necessary. This was not a plan of reform either fluctuating or changeable. It was not subject to the argument, that the stirring of this question would lead to endless innovations, and that when once involved in change, there was no foreseeing where we might stop: nor was it subject to the objection that it was an innovation; for he had very much failed in making his own ideas intelligible to the house, if he had not shewn them that it was a plan in every respect congenial, not only with the first principle, but with the uniform practice of the constitution. These arguments, therefore, he trusted, would not be brought against his plan. The argument, whether his propositions were practicable, whether they were susceptible of an easy and early execution, he should be happy to hear and to discuss. But all the arguments that had from time to time been brought against general and unexplained notions, as they were not applicable, he trusted they would not be adduced.

He anticipated several objections, which, when the propositions came to be discussed in the detail, he should be happy to meet and to combat. The first, he supposed, would be the argument of the expense. Certainly it would always be wise and proper for that house to guard against wild and chimerical schemes and speculations, which might involve their constituents in additional burthens; but he did not believe that, in a matter so dear and important to Englishmen, they would be intimidated from embracing it by the circumstance of the cost. He conceived it to be above price; it was a thing which the people of England could not purchase too highly. Let gentlemen set the question in its proper point of view; let them oppose to the expense, however great, the probable, and indeed the almost certain, advantages to accrue from it, and then they would see how little the argument of economy ought to weigh against the purification of the popular branch of the legislature. If there always had been a house of commons who were the faithful

stewards of the interests of their country, the diligent checks on the administration of the finances, the constitutional advisers of the executive branch of the legislature, the steady and uninfluenced friends of the people, he asked, if the burthens which the constituents of that house were now doomed to endure, would have been incurred? Would the people of England have suffered the calamities to which they had lately been made subject? And, feeling this great and melancholy truth, would they consider the divestment of any sum as an object, when, by doing so, such a house of commons might be ascertained? He did not, therefore, think that the argument of the expense would be much insisted on, nor indeed would the expense be so great as, on the first blush of the matter, gentlemen might be apt to imagine.

Another objection that he foresaw was, that the operation would be but gradual, and its full and final accomplishment at least be distant. This, however, was not an objection that could have much weight. He did not believe that the operation would either be slow or very distant: he had stated to the house several reasons, to shew that the different descriptions of men would have an interest in accepting the conditions to be offered by parliament; and in the fluctuating state of property, and in the almost constant necessities of men, he argued, that the offer of the consideration would from time to time be irresistible. He was sanguine, perhaps, in saying, that, before next parliament, the benefit of this plan might be felt, and in the mean time, this objection of the plan being gradual, would be less regarded, from the confidence which the people of England had in their present representatives. They would wait with patience for the operation of this arrangement, from the confidence which they had in the truth and character of the present parliament. It was elected under circumstances which made it dear to Englishmen; it had not yet forfeited the confidence of the country; and he was warranted in presuming that, with such a house of commons, the constituent body would not be eager for the immediate accomplishment of this reform.

He said, that in the proposed change of representation, and

in adding seventy-two members to the counties, he forgot in the proper place to mention, that it was his wish to add to the number of the electors in those counties. There was no good reason why copyholders should not be admitted to the exercise of the franchise as well as freeholders. Their property was as secure, and, indeed, in some instances, more so than that of the freeholders; and such an accession to the body of electors would give an additional energy to representation. He conceived that the addition of seventy-two members would be as much as it would be proper to give to the proportion between county and borough. These seventy-two members would be divided between the counties and the metropolis, as nothing could be more evident than that the cities of London and Westminster, as well as the counties, had a very inadequate share in the representation of the kingdom. To give to the counties and the metropolis a greater addition than seventy-two members, or thereabouts, would be the means of introducing disorders into the election more injurious than even its present inadequacy.

He needed not, he believed, enumerate the arguments that presented themselves to his mind in favour of a reform. Every gentleman, who had taken pains to investigate the subject, must see that it was most materially wanted. To conquer the corruption that existed in those decayed boroughs, would be acknowledged an impossible attempt. The temptations were too great for poverty to resist, and the consequence of this corruption was so visible, that some plan of reforming the boroughs had clearly become absolutely necessary. In times of calamity and distress, how truly important was it to the people of this country that the house of commons should sympathise with themselves, and that their interests should be indissoluble? It was most material that the people should have confidence in their own branch of the legislature; the force of the constitution, as well as its beauty, depended on that confidence, and on the union and sympathy which existed between the constituent and representative. The source of our glory and the muscles of our strength were the pure character of freedom, which our constitution bore. To

lessen that character, to taint it, was to take from our vitals a part of their vigour, and to lessen not only our importance, but our energy with our neighbours.

If we looked back to our history, we should find that the brightest periods of its glory and triumph were those in which the house of commons had the most complete confidence in their ministers, and the people of England the most complete confidence in the house of commons. The purity of representation was the only true and permanent source of such confidence: for though occasionally bright characters had arisen, who, in spite of the general corruption and depravity of the day in which they lived, had manifested the superior influence of integrity and virtue, and had forced both parliament and people to countenance their administration; yet it would be unwise for the people of England to leave their fate to the chance of such characters often arising, when prudence must dictate that the certain way of securing their properties and freedom was to purify the sources of representation, and to establish that strict relation between themselves and the house of commons, which it was the original idea of the constitution to create. He hoped that the plan which he had mentioned was likely to re-establish such a relation; and he recommended to gentlemen not to suffer their minds to be alarmed by unnecessary fears. Nothing was so hurtful to improvement as the fear of being carried farther than the principle on which a person set out.

It was common for gentlemen to reason with themselves, and to say that they would have no objection to go so far, and no farther, if they were sure, that, in countenancing the first step, they might not either be led themselves, or lead others farther than they intended to go. So much they were apt to say was right—so far they would go—of such a scheme they approved—but fearing that it might be carried too far, they desisted from doing even what they conceived to be proper. He deprecated this conduct, and hoped that gentlemen would come to the consideration of this business, without fearing that it would lead to consequences that would either ruin or alarm us. He begged

pardon for having troubled the house so long ; he wished to put them in possession of all his ideas on the important subject, though he was aware, that until the matter came to be argued in the detail, it was impossible for him to foresee all the objections that might be started. He should therefore conclude for the present with moving,

“ That leave be given to bring in a bill to amend the representation of the people of England in parliament.”

The question was negatived,

Ayes 174

Noes 248

May 5, 1785.

DEBATE ON Mr Francis's motion, for appointing a committee to take into consideration the several lists and statements of the East India Company's establishments in India, that had been laid before the House during the present year.

Mr. Fox strongly supported the motion, and expressed much surprise at seeing any opposition offered to it. Whilst he was proceeding in some severe remarks upon the delusive statement of the East India Directors, which he asserted was of a piece with the whole conduct of those in office, Mr. Pitt and the Master of the Rolls were observed to laugh : upon which Mr. Fox said, with considerable warmth, “ he saw he was treated with personal indecency by the right honourable gentleman, and by another honourable gentleman, whose indecency was a matter of mere indifference to him. He disregarded the incivility of such conduct, and held it in contempt. It was sufficient for him to be convinced he was completely in the right on the question of finance discussed the other day.* So convinced was he of this, that he would risk his reputation on the two statements ; and he thanked God a time would come when they would have an opportunity of knowing who was in the right, and who was in the wrong in that matter, in like manner as they had that day had an opportunity of detecting the fallacies and falsehoods of the former estimates of the directors of the East India Company.”

MR. PITT rose, and began his speech by replying to that part of Mr. Fox's, in which he had complained of being treated with

* On the 29th of April, when Mr. Fox moved for a committee to investigate the financial statements of Mr. Pitt ; which motion was rejected by the house.

indecenty. He observed, that, considering the extreme decorum which at all times distinguished the arguments of the right honourable gentleman, considering the coolness and moderation of his language, together with the measured propriety of his manner, he had certainly a very substantial ground of complaint, if any thing like disrespect and indecenty were offered to him. For his own part, as it was far from his intention to be guilty of such a breach of good breeding, he was ready to do on that occasion what he had seldom done before, and what he believed he should seldom do in future, namely, to make him an apology. This he was the more willing to do, as it would afford him an opportunity of explaining to the house the nature of the alleged offence, and the cause which had given rise to it.

He had long, he said, admired the great abilities, and the surprising powers of argument and eloquence with which the right honourable gentleman was so eminently endowed; but there were also other qualifications belonging to him which had not escaped his wonder, in the general view and contemplation of his character. It was, he said, the display of some of those qualifications during his late speech that had given occasion to that conduct, for which the house had just then heard him so severely censured. The right honourable gentleman finding the present question not applicable to any of his favourite purposes, had, with his usual ingenuity, and agreeably to his usual practice, contrived to introduce another subject, better calculated to afford him an opportunity of gratifying his passions and resentments, and of giving vent to those violent and splenetic emotions to which his present situation so naturally gave birth;—a situation, in which, to the torments of baffled hope, of wounded pride, and disappointed ambition, was added the mortifying reflection, that to the improvident and intemperate use he had made of his power and influence, while they lasted, he could alone attribute the cause of all those misfortunes to which he was used so constantly, so pathetically, but so unsuccessfully, to solicit the compassion of the house. Feeling, as he did, for the right honourable gentleman, he declared, that he should

think it highly unbecoming in him to consider any of his transports, any of those extacies of a mind labouring under the aggravated load of disappointment and self-upbraiding which at present were his lot, as objects of any other emotion in his breast than that of pity, certainly not of resentment, nor even of contempt.

What the particular action or expression of countenance was, that had given such uneasiness to the right honourable gentleman, he could not well explain to the house, but he remembered that, at the time, it proceeded from no other impulse of his mind, than that of surprise at the singular adroitness with which he found a dry and insipid question of account converted into a subject for such sublime and spirited declamation, as that with which the house had just then been entertained; and he could not but think, that, considering all circumstances, there was great judgment in the change which the right honourable gentleman had made, as so much better adapted to his purposes, his talents, and his information. But though the right honourable gentleman had been so fortunate as to introduce a variety into the debate, well calculated to display the lustre of his oratorical capacity, he had unluckily hit upon a subject that in other respects did him but little credit. He wondered that the right honourable gentleman did not consider, that, in bringing back the recollection of the house to the object, on which he had some few days ago engaged their attention, he must also remind them of the event of that day's debate, and serve to imprint more lastingly on their minds the situation to which he had reduced himself by his conduct on that occasion—a situation, which, were it his case, he confessed he should himself look back to rather with humiliation and self-reproach, than with pride and exultation. But he admired the fortitude and philosophy with which the right honourable gentleman persisted in his favourite purpose, be it what it might, even though shame and disgrace stood in his way. He drew, however, a happy omen from the warmth with which he espoused the present motion, and from the affinity which was endeavoured to be established between it and the

former motion, which had been thus irregularly alluded to ; wishing that the consequence attending this attack on the credit of the East-India company, might be similar to that which had already followed the several reiterated attacks on the public credit of the nation, viz. a great and rapid increase in the value of the stocks. He lamented, therefore, that the argument of this day could not be known in India as speedily as that of the former was in England, because by that means the happy effects of it would in that quarter be no longer delayed. When he considered the latitude which the right honourable gentleman had given himself in the use of his expressions, and compared it with his extraordinary sensibility to a silent and almost imperceptible relaxation of features, he was inclined to suppose that the doctrine of the right honourable gentleman was, that a silent spectator ought to endeavour, by all possible means, to avoid even a look that might give offence, while he that was speaking had a right to consider himself as absolved from all the restraints of moderation, good manners, or even common decency.

With respect to the motion before the house, he was surprised to hear from the right honourable gentleman, that he had not expected any opposition to it, until the order had been given for strangers to withdraw ; for if he had listened to the arguments of a right honourable friend* of his behind him, he would have seen, that they were all founded on an idea that such an opposition was intended ; and he would take upon him to say, that there never was a motion which merited an opposition more strongly than the present.

The two most obvious grounds for such a committee as was required, were either to ground on their report a charge of criminality against the court of directors, (and a very high degree of criminality it would be, if they should be found to have wilfully attempted to deceive the house in their statement of the resources and disbursements of the company,) or else to gratify an idle curiosity by an inquiry, which, when finished, would be wholly useless, and inapplicable to any desirable purpose. With respect to the directors being liable to any charge for an intentional misstatement

to the house, that, he observed, was entirely out of the question, as the statement, which was alleged to be fallacious, was not a positive account of disbursements already made, and resources at the time in being, but of what was expected to be the amount of both, in case a circumstance, which was at the time shortly to have been looked for, should take place, namely, the conclusion of a peace. That peace having been deferred for nearly a year beyond the period when it was expected to have taken place, had of course made a material difference between the fact and the hopes of the directors, by considerably increasing their disbursements, and diminishing their resources. From hence the inaccuracy of the account, and the innocence of the directors, were perfectly reconcileable to each other; for he presumed there was no gentleman would contend, that in a speculation of so uncertain and distant a nature as the affairs of the East-India company, there could be any criminality in being unable to foresee such accidental events, as might naturally take place to derange an estimate calculated without any view or prospect of such accidents. This being the case, he must conclude, that the other motive, (that of curiosity) was that to which the house was indebted for the present motion. Such a motive as this he would by no means give way to, when by so doing he should involve any number of gentlemen in an unnecessary and troublesome inquiry. Such a curiosity as this, if once indulged, would still continue to gain ground and to increase, and at length, perhaps, the house would be applied to, to appoint a committee to consider and make their observations on every single dispatch that should arrive from India. Indeed, if this principle of curiosity formed any part of the system of parliamentary proceedings, he remembered a time when it might have been applied with peculiar propriety: he thought there could not have offered a more interesting, nor a more curious object of such an inquiry, than "what were the motives upon which the right honourable gentleman and his friends had framed their celebrated plan of East-India regulation last year, and what might have been the effects naturally to be expected from thence, had it been carried into execution?"

When it was considered to what a surprising extent the bold and aspiring authors of that plan had endeavoured to carry it ; that it embraced the whole of the executive government, the whole of the patronage, and, in short, every political function of the company, and transferred them all to the right honourable gentleman, in such a manner as to have secured to himself and his friends a power over this country, as well as over that, which should have continued to last, until, by a few more such experiments on both, they had rendered either no longer worth the holding ; when it was considered that it had been complained of, that one source of the calamities of the company proceeded from the too great influence of patronage, and the abuses to which it had been made instrumental, and yet, that, to cure these abuses, that very influence from which they sprung was to be increased to such an extent, and modelled in such a manner, as to leave no hope of its not being used to much more dangerous purposes than any yet known, except from the acknowledged immaculacy of the hallowed hands in which it was to be placed :—under such circumstances, he contended, a parliamentary inquiry would have been a most interesting and beneficial experiment. He had, he said, in his hand, a list of the officers which that famous bill made removable at pleasure, a few of which he would mention to the house, in order that they might judge whether the universal opinion which that business had given rise to, of the evils likely to result from the increase of patronage, and the placing that patronage in dangerous hands, could be called, with any regard to the meaning of the word, a delusion—here he read, besides the governors and council, one place of 25,000*l.* per annum ; one of 15,000, five of 10,000, five of 9,000, one of 7,500, four of 5,000, twenty-three of 3,000, and so on till he came to places of one thousand, which, he observed, were, in comparison with the others, so trifling, as hardly to be worth his mentioning.

There could, he said, be but one other motive for appointing the committee, and that was, to discover the true state of the company's affairs, in order to give them such relief as they might

appear to be in need of. If this was the idea on which it was suggested, he was surprised to find in the right honourable gentleman so very forward and unusual a liberality towards the company; for, setting aside the desperate attempts which he already had alluded to, on their interests, he had, since that period, made a most violent opposition to the granting of them that relief which they applied for in the last session of parliament; and now, when they demanded no such assistance, was he desirous of imposing it upon them against their consent, though he had so recently endeavoured to withhold it from them when they thought it necessary. Upon the whole, he concluded with saying, that if he had come down to the house perfectly uninformed on the subject, he should, notwithstanding, have learned enough from what he had already heard in the course of the debate, to be able to make up his mind as to the impropriety of appointing the committee; a measure that should therefore meet his most hearty negative.

The motion was negatived;

Ayes 45

Noes 161

May 12, 1785.

THE House having resolved itself into a committee of the whole House on the Commercial Regulations proposed to be adopted between Great Britain and Ireland,

MR. PITT opened the business by desiring that the resolution which he had formerly moved as the ground-work of the system of intercourse between the two countries, might be read:

Resolved, "That it is highly important to the general interests of the British empire that the trade between Great Britain and Ireland be encouraged and extended as much as possible; and, for that purpose, that the intercourse and commerce be finally settled and regulated, on permanent and equitable principles, for the mutual benefit of both countries."

He then said, that the attention of the committee having been engrossed for so many weeks by the propositions, he flattered himself their importance and magnitude were by this time sufficiently impressed on their minds, to render it perfectly unnecessary for him to dwell upon that part of the subject. He should therefore, after the useless manner in which so much of their time had been wasted, enter at once into the business, and state to the committee the extent and object of his plan, endeavouring to clear it from such misconceptions, and to obviate such objections, as from the various interests that it was supposed to affect, and the pains taken to alarm those interests, it had necessarily become liable to.

He desired the house to recollect, among the many important and extensive objects to which the legislature of this kingdom had for some years past directed its attention, that the affairs of Ireland, and the forming of a suitable arrangement between that kingdom and this were the most considerable. A vast deal had already been done in several preceding administrations; and though he was by no means inclined to censure the liberality of former parliaments, or former ministers, yet he could not but think, that if nothing more was to be done for Ireland, it would have been more advisable not to have done any thing at all, or at least not so much as had been done. In fact, if the British parliament were to go no farther, all that had hitherto been done was absolutely nugatory and useless; for the advantages which were by those acts put into the hands of the Irish, were such as they were unable to make use of, at least not in the degree in which it was the avowed intention of parliament that they should. And would the people and the legislature of England condescend to assume a credit for what they had never bestowed, and lay claim to the gratitude and love of a nation to whom they had made no concessions, but such as it was impossible for her to avail herself of? His present plan, he said, was nothing more than a necessary supplement to those which had formerly been adopted, for the purpose of creating such a mutual interest as should for ever preserve inviolate, and secure the con-

nection between the two countries : and he trusted, if it should be found to have a tendency to so very desirable an end as that ; if it should be found to add considerably to the general strength and splendour of the empire ; if it should be found to contribute a great and obvious augmentation to the welfare of Ireland, and at the same time to maintain the interests of Great Britain in every essential point, and in some instances considerably to promote them ; that in that case the opposition he should meet with would be confined within very narrow limits.

The objections which he had generally observed to be made to this plan, were such as appeared to him either to be convincing proofs of its propriety and necessity, or at least that they were capable of an easy and complete refutation. He had desired the proposed resolution to be read, in order that he might the more easily lead the committee into his sentiments with regard to the general arrangement, of which it was the foundation ; and although there were several subsequent resolutions to follow it, yet they were but the detail and formality of that principle which was laid down in the former. This principle, then, he would first explain by way of comment on that resolution, and afterwards would go through the whole series of the propositions from Ireland, applying to them such alterations, restrictions, and modifications, as should still restrain them within the principle now to be adopted, and at the same time free them from the objections which those, who could not dissent from the principle, had endeavoured to raise against the mode in which it was intended to apply it.

The principle then was, "that a treaty should be concluded with Ireland, by which that country should be put on fair, equal, and impartial footing with Great Britain in point of commerce, with respect to foreign countries and to our colonies ; and as to the mutual intercourse between each other, that this equality should extend to manufactures, to importation, and to exportation, and that Ireland in return for this concession, should contribute a share towards the protection and security of the general commerce of the empire." In order to destroy the general prejudices entertained

against these propositions, it would be necessary for him only to mention in what situation Ireland actually stood at that moment in point of commerce with respect to the world in general, and Great Britain in particular. Ireland could at this moment trade, with unlimited freedom, to every foreign state in Europe, supply them with her own produce and manufacture, and carry home in return the produce and manufacture of any country in Europe. She was also at liberty to supply the British colonies in the West Indies with her own commodities; and by a direct trade homeward, furnish herself with the West India goods. But this was not all. She could also, at this moment, supply the British market, by a direct trade to Britain, with the produce of the British islands; and this privilege was not of a recent date: she had enjoyed it ever since the navigation laws were framed. The only question arising now, relative to the West India commodities, was, that the Irish should in future be permitted to bring into England, circuitously through Ireland, those goods which they were at this instant at full liberty to import into this country directly from the West Indies. But not to dwell any farther on this point for the present, on which he intended hereafter to speak somewhat more at length, he observed, that the adjustment which was now to be proposed resolved itself naturally into three parts, which might be ranged under three different heads: 1st. The intercourse between the British West-India islands and Ireland; 2nd. between Great Britain and Ireland; 3rd. exports of manufactures to foreign countries; to which might be added a 4th, which was rather political, and related to the assistance that Ireland should contribute towards the support of the navy of the empire.

With respect to the first, it had been frequently suggested in behalf of a very respectable and very useful body of men, the West-India merchants and planters, that should Ireland be permitted to supply the British market with the produce of the islands, they must necessarily run the risk of being very considerable sufferers in common with the rest of the people of England. To this suggestion he would reply, that Ireland, as he had said before, might at this moment carry in Irish bottoms

the produce of the islands directly into Great Britain: she was already in possession of that liberty, and had enjoyed it ever since the passing of the navigation laws, which had put Irish ships, in that respect, on a footing with British; it was therefore only by a circuitous trade from the colonies, that any new danger could accrue to their interests. And here he felt that the apprehensions of the merchants and planters were best founded; for they feared that the Irish being once admitted to bring to England circuitously the produce of the British colonies, French sugars and other goods, the growth of islands in the West Indies not belonging to this country, might be imported into England as British. It was certainly his wish, as it was his duty, to guard against such a mischief: the British West-India planters were clearly entitled to a monopoly of the English market; and it would be but justice to secure it to them, as far as laws and regulations could give security. It was upon this principle, then, that he intended to propose certain regulations which would fully answer this end, without affecting in the smallest degree the spirit of the Irish resolutions. He proposed then in the first place, that the committee should resolve, that all the navigation laws actually in force in this kingdom, or which it should be hereafter found necessary to enact, for the preservation of the trade of Great Britain, should be in force in Ireland. Under these laws the door would be shut to the importation of foreign West-India goods, and consequently the British market would be secured for British West-India commodities, to the exclusion of those of foreign islands. In consequence of these laws it would be necessary that every Irish vessel, arriving in Ireland from the West Indies, should be furnished with a certificate that her cargo was really the produce of a British West India island; and that this certificate should be signed by the proper officer of such island. But it might be said, of what avail would laws be, if the execution of them should be left to those who were not most concerned in the due observance of them? He would answer, that unquestionably if laws were not duly observed and obeyed, they were of little use. But he did not conceive that entrusting the execution of laws to persons not immediately under our

power, was a thing absolutely unprecedented: this country relied much upon the officers in the West-India islands, whose duty it was to sign certificates; and if they abused their power, the danger, against which these certificates were to guard, would necessarily arrive. He would not, however, trust to Irish officers for the execution of the navigation laws, but would propose an additional regulation, which, in his opinion, would satisfy the planters; and that was, that every ship from the West Indies touching in Ireland should be obliged, on entering a port in Great Britain, to produce the same original certificate which she shewed in Ireland, and which she received from the proper officer, on clearing out from the island at which she shipped her cargo. This, he flattered himself, would answer the expectations of the planters; for he did not suppose that the Irish would attempt to import into their own country the produce of a French island, with which they could not have a British certificate, and without which it could not be admitted afterwards into England.

Some gentlemen seemed to apprehend that the British merchants would be injured, if the Irish were left at liberty not only to supply the English, but also foreign markets, with West-India produce: but he did not see so much danger in the case as they did. For in the first place, it was, from a number of circumstances, highly improbable that the Irish would supply the English market to any great extent with West-India goods: probably the principal consequence of this liberty might be, that the Irish merchant would be encouraged to speculate a little more than he did at present, and bring home a greater quantity of West-India produce than might be necessary for his own market, in hopes that a scarcity might happen in England, and then he might send in the goods he had thus laid in upon speculation. This certainly was possible, but it was barely so, and he did not conceive that it could happen frequently. It might occur oftener, that the Irish merchant would, in case of scarcity on the continent, have an opportunity of supplying foreign countries, which would otherwise be supplied from England. But though, whatever might be thus gained by the Irish, would be taken from the British merchants, yet he hoped the loss would be rated very low,

when it was recollected that this sacrifice would procure lasting friendship and harmony with Ireland; it would knit together the two great limbs, the remaining great members of the British empire, and bind them fast in bonds of eternal amity. To Ireland he did not wish to make this boon trifling and insignificant: he did not indeed think it was such as would do this country essential injury; but it would nevertheless procure to Ireland substantial good; and therefore he trusted it would be given cheerfully by the one as the best proof of affection and friendship, and be received by the other as a mark of that regard and community of interests which ought to subsist between the two countries, connected as England and Ireland are by the dearest ties. This regulation, however, did not stop here; he intended to propose farther, that all ships coming from Ireland to England with West-India produce should also be furnished with cockets, and give bonds in the same manner as coasting ships in England were bound to do. If Ireland should thus enjoy the benefit of the colony trade, it was but fit the colonies should derive some benefit in return; and therefore he would propose an amendment in the second of the Irish resolutions, which allows a drawback on exportation of all the duties laid on importation into either country; and the amendment was an exception from this allowance of drawback on all spirits not the produce of the British colonies in the West Indies.

There was, besides, he observed, another branch of foreign commerce which demanded regulation, and which, in some degree, might be considered as allied to that of which he was speaking, and that was the trade to the East Indies. That trade, he observed, being by charter exclusively the property of the East-India company, there was no possibility of giving a share of it particularly and nominally to the Irish; on that subject, however, he was not very uneasy, as he was fully satisfied in his own mind, that, to suffer the East-India trade to remain in its present channel, was by no means a departure from the system that was now under discussion, a system of an equal and reciprocal participation of commercial benefits with Ireland. As long as

the legislature of this country thought it advisable to suffer that trade to be exclusively engrossed by the company, Ireland had no better right to complain of the exclusion than one of our own out-ports, or even an individual merchant. Still, though he did not see either the practicability or the expediency of conceding to Ireland a part of our East-India trade, he thought it was fit that certain regulations affecting that country should be relaxed, in order to open a door for Ireland to proportional advantages, from which, by these regulations, she had been excluded. Thus, he would have the East-India company empowered to take in such part of their outward-bound cargo as they might find convenient, in the ports of Ireland, and also to import directly from the East Indies such part of the produce of that country as they might think proper.

He then recapitulated what he had already laid before the house, enumerating the several objections which had been taken to that part of his plan that related to the colony trade, together with the several resolutions he meant to propose, in order to overturn such objections; and then, calling the recollection of the house to the period when the principal part of the commercial concessions were made to Ireland, he desired them to recollect the serious alarm which the demands of that kingdom at that time gave rise to, and to consider whether those alarms had not been found futile and groundless, though at first taken up as loudly, and extending as widely as the present; whether, having experienced how beneficial our bounty had already been to that country, at the same time that it had been of no prejudice to this, they ought to stop short now, at a time when so very little more would accomplish the whole, and when that little was necessary to give effect and operation to what had been done already. But he expected, that if any opposition were to be made to this measure, it might not come from a quarter which had already given so much, as to render the remainder not worth withholding, or if it were, not possible to be withheld. Above all, he hoped, that gentlemen would not oppose him on such grounds; as they must expose their own former arrangements to a

great degree of censure, and involve, in their disapprobation of the present measure, a condemnation of those acts of which they themselves had already been the authors. What he meant to allude to, was the objection, that as a considerable part of his plan would necessarily depend on an adjustment of duties, drawbacks, and bounties, that adjustment was liable to so many errors, as to render it extremely uncertain and dangerous to place any dependence on the accuracy with which it could be done. In the first place, he flattered himself there was no person who would take upon himself to say that such an adjustment was absolutely impracticable, nor, for his own part, did he think it even in any great degree difficult; but whether it was difficult, or whether it was impracticable, it was a part of the system on which the noble lord in the blue ribband* had founded his former arrangement of that portion of the colony trade which, in his administration, had been given to Ireland. That concession had been made upon the same principle as the present, that of equalization between the two countries; nor could he see any reason why such an equalization could be less carried into effect upon the present than on the former occasion.

Such, he said, were the outlines of the first part of his system, and which, accompanied by the necessary safeguards and regulations, he wished the house to adopt. We had hitherto bound, he observed, the friend we ought to cherish; we had treated as an alien, instead of caressing as a partner: but, by a system thus comprehensive, unambiguous, and complete, we should remove the effect of former prejudices, and entitle ourselves not only to the zealous contributions of a generous sister, but, what was much more, to her gratitude.

That goods now prohibited, or subjected to duties amounting to a prohibition, should be admitted hereafter into each kingdom, under a duty merely sufficient to countervail the internal excise, formed the outline of the second part of the system. As other bounties which might defeat its end were by a particular provision excluded, this must be looked on as a conciliatory sys-

* Lord North.

tem, which would tend to diffuse, and thereby to increase, the wealth of both nations. To one effect only of this regulation an exception had been made; and an alarm had been spread in the northern part of this kingdom, as if the removal of the prohibition which now existed with respect to corn and grain would be highly injurious to the agriculture of Scotland: this dread, however, it was his intention to remove, by excepting corn, meal, &c. from the effects of this regulation. Beer, also, exported to Ireland, being already subject to a high duty, to countervail the internal imposition on that article in Ireland would form another exception.

He then went through the different propositions as they had been submitted to the Irish parliament, making comments and alterations as he proceeded; after which he remarked, that of the numerous petitions which had been presented to the house, the objections of the greater part were perfectly wide of what might be expected from any who had given a proper attention to the subject. They had spoken of liberties now given, and of privileges unknown before; they dwelt on the rivalry that must take place between this country and Ireland in every foreign market; but they seemed not to know that these liberties, and this rivalry, subsisted by the laws already in existence. Every inconvenience that had been stated, flowed from the system that was now established, but went not to criminate that which was now about to be formed. He had been, also, arraigned of arrogance and self-sufficiency in the prosecution of this business; but it was not in the power of words such as these to deter him from the prosecution of his duty, to drive him to little, temporizing expedients, such as the sacrifice of a post-office or a court of admiralty. He was not, he said, one of those who thought, that if a session were passed without any thing material being done, it was a circumstance of pleasure and self-congratulation. It was his wish to place the arrangements between the two kingdoms on a basis the most durable; and in the pursuit of an end so important, he would not be deterred by clamour or misrepresentation.

Mr. Pitt then went into that part of the question which related to the apprehensions of certain persons, of being undersold, by the import of the manufactures of Ireland, in our own markets. He combated the doctrine, that Ireland, from the cheapness of labour, must necessarily be able to undersell the English manufacturer. Was it, he asked, because the rudest species of labour was somewhat cheaper in Ireland than in England, that the former therefore had the advantage of the latter? No. It did not depend on that sort of work which was required for the roughest and rudest occupations of agriculture, whether a nation was to flourish in manufacture or not; it was a habit of industry and ingenuity which were to effect it. He drew a distinction between the meaning of the words *wages* and *labour*, observing, that a man's wages might be extremely low, and yet the price of his labour very dear, provided that he did but a small quantity of work. He instanced in the example of an Englishman and an Irishman, that perhaps the latter, though receiving but five shillings per week, might really be a dearer workman to his employer than the former at eight shillings, provided the one worked hard, and the other was idle. He said also, that, besides the different degrees of the industry of the two nations, he was well informed, and sufficiently convinced, that the rate of wages, as well as of labour, was greater in Ireland than in England, in any branch of manufacture which required execution and ingenuity, instancing a gentleman, whom he described to be the first and the principal person in the cotton business in Ireland,* who was several times in danger of losing his life, because he refused to allow his workmen a greater price than they had at Manchester. He could not help observing, that the fears and apprehensions of the manufacturers were extremely far-fetched and ill-founded; nor did it appear to him that there were such grounds for them as ought to weigh with any reasonable man. They had declared themselves to be under great anxiety and uneasiness, lest the Irish, in consequence of this arrangement, should be able to draw over all their workmen,

* Major Brooke.

all their trade, and all their capitals, and thus undersell them in their own markets by at least 13*l.* per cent. He desired the committee to attend to that single subject. The Irish cotton trade was to be imported into England, according to this plan, at 10*l.* and a half per cent. duty, and yet it was said, they were to undersell the English manufacturer 13*l.* per cent. These two sums amounted to 23*l.* and a half per cent. Besides this, England had hitherto imported into Ireland at a duty of 10*l.* and a half per cent. This, therefore, added to the other two sums, would amount to 34*l.* per cent.; at which disadvantage, therefore, if the manufacturers who had stated this degree of danger to the house deserved any degree of credit, they had been hitherto dealing in Ireland, so as to have almost exclusively engrossed that market, and had increased and flourished to an extent hardly to be equalled by any other branch of trade known—a thing perfectly beyond the reach of belief, and even unworthy of a single serious thought. In another branch of manufacture, he said, there was the same sort of exaggerated danger represented to the house, by a person who had given a very long and copious testimony at the bar, and that in the most collected and deliberate manner that it was possible for any man to do; [here he alluded to Mr. Wedgwood, the earthen-ware manufacturer, who gave in his testimony in writing to the clerk] and yet, from this gentleman the house could learn nothing more than that of his having wished to engross every market to which he had ever thought of sending his wares and, although, by the by: he did not well know how to send them to Ireland for fear of damage, by breaking and other losses, yet he was now determined, at all hazards, and at all risks of credibility and consistency, to run into every extreme that the present prevalent agitation of men's minds could prompt them to, in order to find nothing in those propositions but certain destruction to him and his manufacture if they should pass into a law. He most earnestly entreated the house not to suffer themselves to be carried away with the idea that a poor country, merely because she enjoyed some comparative exemption from taxes, was therefore able to cope with a

rich and powerful country; the fact, he was ready to contend, was by no means so: on the contrary, the smallest burthen on a poor country was to be considered, when compared with those of a rich one, by no means in a proportion to their several abilities; for if one country exceeded another in wealth, population, and established commerce, in a proportion of two to one, he was nearly convinced that that country would be able to bear near ten times the burthens that the other would be equal to. This argument he applied to Great Britain and Ireland, and illustrated it with an example from England and Scotland. There was no gentleman, he believed, who would contend, that the taxes which Scotland paid, when compared with those of England, bore any proportion to their mutual and relative resources of wealth and power; and yet he believed, that, although every man must admit, that the connection between them had been productive of great and manifest advantage to both, yet there were few would hesitate to say, that one country had been more benefited by it than the other, and that the event of that consolidation of interest which took place between the two British kingdoms, had been such as ought not to make England averse from a repetition of the experiment.

Mr. Pitt now proceeded to open that part of the plan which was entirely and exclusively favourable to this country, and which was to be the gratuity given by Ireland for whatever benefit she was to derive from the arrangement, and the compensation to England for any advantage she might give up. It happened, he said, that as this compensation bore an exact proportion to the advantages to be gained by Ireland, so was it of necessary consequence exactly commensurate to the effect of the concessions made by England; while, at the same time that it thus balanced the favour conferred and received, it over and above secured an additional advantage to each party, by considerably promoting the collective strength, prosperity, and splendor of the empire at large. This compensation was the surplus of the hereditary revenue of Ireland, after deducting 654,000*l.* for the support of her own establishments, to be ap-

plied to the naval defence of the trade and commerce of each kingdom. In order to shew the house how certainly this compensation would bear a proportion to the benefit which Ireland was to reap from the new arrangements, he would state what the hereditary revenue was. It consisted of certain duties by custom on almost every species of goods imported; an excise upon some articles of the most general consumption; and a house tax levied according to the number of hearths in each. The committee would see from hence, that this hereditary revenue would necessarily increase as soon as the new arrangement began to have effect, and in exact proportion to that effect, every article of which it was composed being so closely connected with commerce, wealth, and population. It was his idea, that the supply, whatever it might be, should be taken in provisions and stores, a mode which would be productive of equal benefit to both nations.

He should have, he said, on a future day, some remarks to make as to the regulation of patents, and the securing of copyright to their respective possessors. At present, however, he would detain the committee no further upon this part of the subject.

He then addressed the house in a most earnest manner, entreating them to consider and reflect how momentous the object before them was; that it tended to conciliate a difference between this and our sister kingdom, which, though now confined to secret repinings, to disgusts, to jealousies, and a war of interests and of passions, might perhaps, in time, proceed to a length which he shuddered to think of, and could not venture to express; that it tended to enrich one part of the empire without impoverishing the other, while it gave strength to both; that like mercy, the favourite attribute of heaven—

————— “It is twice bless'd,

“It blesseth him that gives, and him that takes;”

that after the severe calamities under which this country had so long laboured, that after the heavy loss which she had sustained

from the recent division of her dominions, there ought to be no object more impressive on the feelings of the house, than to endeavour to preserve from further dismemberment and diminution, to unite and to connect what yet remained of our reduced and shattered empire, of which Great Britain and Ireland were now the only considerable members, in the mutual bond of affection, of mutual kindness, and of reciprocity of interests. He called upon those gentlemen who had enjoyed a share at different periods in the government of Ireland, to declare, whether the time was not now passed when temporary expedients, when lenitives, calculated merely for the purpose of deadening the immediate sense of pain, without even approaching the seat of the distemper, could be administered with safety? Whether they could silence the demands which the Irish, with a loud united voice, were at this moment making, on the justice, the wisdom, and the humanity of the nation?

He apologized for having so long troubled the house upon a subject on which they had now been already for such a length of time engaged; declaring, that among all the objects of his political life, this was, in his opinion, the most important he had ever engaged in, nor did he imagine he should ever meet another that would call forth all his public feelings, and rouse every exertion of his heart, in so forcible a manner as the present had done. A question in which, he verily believed, was involved every prospect that still remained to this country, of again lifting up her head to that height and eminence which she once possessed amongst nations; and of giving to her commerce, her public credit, and her resources, that spring and vivacity, which she felt at the conclusion of the war before last, which were now so obviously returning, and which, he trusted, she would never be found to want, as long as liberality, public spirit, and disinterestedness, held their place in that house. He concluded with moving the first proposition.*

See the following page, where the several resolutions appear in their corrected form.

The question of adjournment, which was moved by Lord North, was negatived,

Ayes 155

Noes 281

and the original resolution was then agreed to.

July 22, 1785.

THE House having proceeded to the order of the day for agreeing to the amendments made by the Lords in the Irish propositions, a debate of some length took place; the issue of which was, that the house adopted the amendments of the Lords, and added some further amendments of their own.

The propositions thus amended, and passed in the form of resolutions are as follow :

“ Resolved, I. That it is highly important to the general interest of the British empire that the intercourse and commerce between Great Britain and Ireland should be finally regulated on permanent and equitable principles, for the mutual benefit of both countries.

“ II. That it is consistent with the essential interests of the manufactures, revenue, commerce, and navigation of Great Britain, that a full participation of commercial advantages should be permanently secured to Ireland, whenever a provision, equally permanent and secure, shall be made by the parliament of that kingdom towards defraying, in proportion to its growing prosperity, the necessary expenses, in time of peace, of protecting the trade and general interests of the empire.

“ III. That, towards carrying into full effect so desirable a settlement, it is fit and proper, that all articles, not the growth or manufacture of Great Britain or Ireland, except those of the growth, produce, or manufacture of any of the countries beyond the Cape of Good Hope, to the Streights of Magellan, should be imported into each kingdom from the other reciprocally, under the same regulations, and at the same duties (if subject to duties) to which they would be liable, when imported directly from the country or place from whence the same may have been imported into Great Britain or Ireland respectively, as the case may be; and that all duties originally paid on importation into either country respectively, except on arrack and foreign brandy, and on rum, and all sorts of strong waters not imported from the British Colonies in the West Indies, shall be fully drawn back, within a time to be fixed, on exportation to the other; but, nevertheless, that the duties shall continue to be protected and guarded, as at present, by withholding the drawback until a certificate from the proper officers of the revenue in the

kingdom to which the export may be made, shall be returned and compared with the entry outwards.

“ IV. That it is highly important to the general interests of the British empire, that the laws for regulating trade and navigation should be the same in Great-Britain and Ireland ; and therefore that it is essential, towards carrying into effect the present settlement, that all laws which have been made, or shall be made, in Great-Britain, for securing exclusive privileges to the ships and mariners of Great-Britain, Ireland, and the British Colonies and Plantations, and for regulating and restraining the trade of the British Colonies and Plantations (such laws imposing the same restraints, and conferring the same benefits, on the subjects of both kingdoms) should be in force in Ireland, by laws to be passed in the Parliament of that kingdom, for the same time, and in the same manner, as in Great-Britain.

“ V. That it is further essential to this settlement, that all goods and commodities of the growth, produce, or manufacture, of British or foreign Colonies in America, or the West Indies, and the British or foreign settlements on the coast of Africa, imported into Ireland, should, on importation, be subject to the same duties and regulations as the like goods are, or from time to time shall be, subject to, upon importation into Great-Britain ; or if prohibited to be imported into Great Britain, shall be prohibited in like manner from being imported into Ireland.

“ VI. That, in order to prevent illicit practices injurious to the revenue and commerce of both kingdoms, it is expedient that all goods, whether of the growth, produce, or manufacture of Great Britain or Ireland, or of any foreign country, which shall hereafter be imported into Great Britain from Ireland, or into Ireland from Great Britain, should be put (by laws to be passed in the Parliaments of the two kingdoms) under the same regulations with respect to bonds, cockets, and other instruments, to which the like goods are now subject in passing from one port of Great Britain to another.

“ VII. That for the like purpose, it is also expedient, that when any goods, the growth, produce, or manufacture, of the British West-India Islands, or any other of the British Colonies or Plantations, shall be shipped from Ireland for Great Britain, they shall be accompanied with such original certificates of the revenue officers of the said colonies, as shall be required by law on importation into Great Britain ; and that, when the whole quantity included in one certificate shall not be shipped at any one time, the original certificate, properly indorsed as to quantity, should be sent with the first parcel ; and to identify the remainder, if shipped within a time to be limited, new certificates should be granted by the principal officers of the ports in Ireland, extracted from a register of the original documents, specifying the quantities before shipped from thence, by what vessels, and to what ports.

“ VIII. That it is essential, for carrying into effect the present settlement,

that all goods exported from Ireland to the British Colonies in the West Indies, or in America, or to the British settlements on the coast of Africa, or to the countries beyond the Cape of Good Hope to the Straights of Magellan, should from time to time be made liable to such duties and drawbacks, and put under such regulations, as may be necessary, in order that the same may not be exported with less incumbrance of duties or impositions than the like goods shall be burthened with when exported from Great Britain.

“ IX. That it is essential to the general commercial interests of the empire, that, so long as the Parliament of this kingdom shall think it advisable that the commerce to the countries beyond the Cape of Good Hope to the Straights of Magellan, shall be carried on solely by an exclusive company, having liberty to import into the port of London only, no goods of the growth, produce, or manufacture of the said countries should be allowed to be imported into Ireland but through Great Britain; except dye stuffs, drugs, cotton, or other wool, and spiceries, which may be imported into Ireland from foreign European countries, so long as the same are importable from foreign European countries into Great Britain: and that it shall be lawful to export such goods of the growth, produce, or manufacture of any of the countries beyond the Cape of Good Hope to the Straights of Magellan, from Great Britain to Ireland, with the same duties retained thereon as are now retained on their being exported to that kingdom, but that an account shall be kept of the duties retained, and not drawn back on the said goods exported to Ireland, and that the amount thereof shall be remitted, by the Receiver-general of his Majesty's customs in Great Britain, to the proper officer of the revenue in Ireland, to be placed to the account of his Majesty's revenue there, subject to the disposal of the Parliament of that kingdom; and that the ships going from Great Britain to any of the said countries beyond the Cape of Good Hope to the Straights of Magellan, should not be restrained from touching at any of the ports in Ireland, and taking on board there any of the goods of the growth, produce, or manufacture of that kingdom; and that no ships be allowed to clear out from Ireland for any of the said countries, but such ships as shall be freighted by the said company, and which shall have sailed from the port of London: and that, whenever the commerce to the said countries shall cease to be so carried on solely by such an exclusive company, the goods, the growth, produce, or manufacture of the said countries beyond the Cape of Good Hope to the Straights of Magellan, should be importable into Ireland, from the British or foreign settlements in the East Indies, subject to the same duties and regulations as the like goods from time to time shall be subject to on importation into Great Britain; and if prohibited to be imported into Great Britain, should in like manner be prohibited from being imported into Ireland.

“ X. That no prohibition should exist, in either country, against the importation, use, or sale of any article, the growth, produce, or manufacture of

the other, except such as either kingdom may judge expedient, from time to time, upon corn, meal, malt, flour, and biscuits; and except such qualified prohibitions, at present contained in any act of the British or Irish parliaments, as do not absolutely prevent the importation of goods or manufactures, or materials of manufactures, but only regulate the weight, the size, the packages, or other particular circumstances, or prescribe the built or country, and dimensions of the ships importing the same; and also, except on ammunition, arms, gunpowder, and other utensils of war, importable only by virtue of his Majesty's licence; and that the duty on the importation of every such article (if subject to duty in either country) should be precisely the same in the one country as in the other, except where an addition may be necessary in either country, in consequence of an internal duty, on any such article of its own consumption, or an internal bounty in the country where such article is grown, produced, or manufactured; and except such duties as either kingdom may judge expedient, from time to time, upon corn, meal, malt, flour, and biscuits.

“ XI. That, in all cases in which the duties on articles of the growth, produce, or manufacture of either country are different, on the importation into the other, it is expedient that they should be reduced, in the kingdom in which they are the highest, to an amount not exceeding the duties which were payable in the other on the 17th day of May, 1782, so that in every case in which any article was charged with a duty, on importation into Ireland, of ten and a half per centum, or upwards, on the 17th day of May, 1782, the amount of the duties so reduced shall not be less than the said duty of ten and a half per centum, unless in cases where any articles are importable duty free into either kingdom from the other, which articles shall hereafter be imported duty free into each from the other respectively; and that all such articles should be exportable, from the kingdom into which they shall be imported, as free from duties as the similar commodities, or home manufacture of the same kingdom: provided always, that when any such articles shall be liable, in either country, to any duty on being exported to any foreign country, the same articles, when re-exported from either of the said kingdoms into which they shall have been so imported as aforesaid, shall pay the like duties as if they had been originally exported from the kingdom of their growth, produce, or manufacture, to such foreign country.

“ XII. That it is also proper, that, in all cases in which the articles of the consumption of either kingdom shall be charged with an internal duty on the manufacture, such manufacture, when imported from the other, may be charged with a farther duty on importation adequate to countervail the internal duty on the manufacture, such farther duty to continue so long only as the internal consumption shall be charged with the duty or duties to balance which it shall be imposed, provided that the countervailing duty to be paid upon manufac-

tured salt imported into any part of Great Britain, shall be computed upon the internal duty payable thereon in England; and that, where there is a duty on the raw material of any manufacture in either kingdom, such manufacture may, on its importation into the said kingdom from the other, be charged with such a countervailing duty as may be sufficient to subject the same to burdens adequate to those which such manufacture is subject to in consequence of such duties on such raw material in the kingdom into which such manufacture is so to be imported; and that the said manufactures so imported shall be entitled to such drawbacks or bounties on exportation as may leave the same subject to no heavier burden than the home-made manufacture; and that, in every case where a duty shall be payable in either kingdom on any article carried coastwise from one port to another of the said kingdom, the same article, when imported from the other kingdom, should be subject to the like duty.

XIII. "That in order to give permanency to the settlement now intended to be established, it is necessary that no new or additional duties should be hereafter imposed, in either kingdom, on the importation of any article of the growth, produce, or manufacture of the other, except such additional duties as may be requisite to balance duties on internal consumption, pursuant to the foregoing resolution, or in consequence of bounties remaining on such article when exported from the other kingdom.

XIV. "That, for the same purpose, it is necessary, farther, that no new prohibition, or new or additional duties should be hereafter imposed, in either kingdom, on the exportation of any article of native growth, produce or manufacture, from the one kingdom to the other, except such as either kingdom may deem expedient, from time to time, upon corn, meal, malt, flour, and biscuits; provided, that when any article of the growth, produce, or manufacture of either kingdom, shall be prohibited by the laws of the said kingdom to be exported to foreign countries, the same article, when exported to the other kingdom, shall be prohibited to be re-exported from thence to any foreign countries.

XV. "That, for the same purpose, it is necessary, that no bounties whatsoever should be paid or payable, in either kingdom, on the exportation of any article to the other, except such as relate to corn, meal, malt, flour, and biscuits, and except also the bounties at present given by Great Britain on beer and spirits distilled from corn, and such as are in the nature of drawbacks or compensations for duties paid; and that no bounties should be payable in Ireland on the exportation of any article to any British colonies or plantations, or to the British settlements on the coast of Africa, or British settlements in the East Indies, or any manufacture made of such article, unless in cases where a similar bounty is payable in Great Britain, on exportation from thence, or where such bounty is merely in the nature of a drawback

or compensation of or for duties paid over and above any duties paid thereon in Great Britain; and that, where any internal bounty shall be given, in either kingdom, on any goods manufactured therein, and shall remain on such goods when exported, a countervailing duty adequate thereto may be laid upon the importation of the said goods into the other kingdom.

XVI. "That it is expedient, for the general benefit of the British empire, that the importation of articles from foreign countries should be regulated, from time to time, in each kingdom, on such terms as may effectually favour the importation of similar articles of the growth, produce, or manufacture of the other; except in the case of materials of manufacture, which are, or hereafter may be allowed to be imported from foreign countries duty free; and that, in all cases where any articles are or may be subject to higher duties on importation into this kingdom, from the countries belonging to any of the states of North America, than the like goods are or may be subject to when imported as the growth, produce or manufacture of the British colonies and plantations, or as the produce of the fisheries carried on by British subjects, such articles shall be subject to the same duties on importation into Ireland, from the countries belonging to any of the states of North America, as the same are or may be subject to on importation from the said countries into this kingdom.

XVII. "That it is expedient, that such privileges of printing and vending books, engravings, prints, maps, charts, and plans as are or may be legally possessed within Great Britain, under the grant of the crown or otherwise, and that the copyrights of the authors and booksellers, the engraved property of engravers, print and mapsellers, of Great Britain, should continue to be protected in the manner they are at present by the laws of Great Britain; and that it is just that measures should be taken by the parliament of Ireland for giving the like protection to the copyrights of authors and booksellers, and to the engraved property of the engravers, print and mapsellers of that kingdom.

XVIII. "That it is expedient, that such exclusive rights and privileges, arising from new inventions, as are now legally possessed within Great Britain, under letters-patent from the crown shall continue to be protected in the manner they are at present by the laws of Great Britain; and that it is just that measures should be taken by the parliament of Ireland, for giving the like protection to similar rights and privileges in that kingdom; and also that it is expedient that regulations should be adopted, with respect to letters-patent hereafter to be granted in the case of new inventions, so that the rights, privileges, and restrictions therein granted and contained, shall be of equal force and duration throughout both kingdoms.

XIX. "That it is expedient, that measures should be taken to prevent disputes, touching the exercise of the right of the inhabitants of each kingdom to fish on the coasts of any part of the British dominions.

XX. "That the appropriation of whatever sum the gross hereditary reve-

nue of the kingdom of Ireland (the due collection thereof being secured by permanent provisions) shall produce, after deducting all drawbacks, re-payments, or bounties granted in the nature of drawbacks, over and above the sum of six hundred and fifty-six thousand pounds in each year, towards the support of the naval force of the empire, to be applied in such manner as the parliament of Ireland shall direct, by an act to be passed for that purpose, will be a satisfactory provision, proportioned to the growing prosperity of that kingdom, towards defraying in time of peace, the necessary expenses of protecting the trade and general interests of the empire."

MR. PITT then said, after the long and repeated discussions that the resolutions had undergone in that house, it would not be necessary for him to trouble gentlemen with any thing at that time upon the subject. If in the course of the debate any thing should be said that might call for explanation, or require an answer, he flattered himself he should be permitted to speak to it; he would therefore reserve himself for that occasion, and would be content for the present with moving an address to his Majesty, in order to carry the resolutions in due form before the parliament of Ireland:—

"That the foregoing resolutions be laid before his Majesty, with an humble address, assuring his Majesty, that his faithful Commons have taken into their most serious consideration the important subject of the commercial intercourse between Great Britain and Ireland, recommended in his Majesty's speech at the opening of the present session, and the resolutions of the two Houses of parliament in Ireland, which were laid before us, by his Majesty's command, on the 22d day of February last:

"That, after a long and careful investigation of the various questions necessarily arising out of this comprehensive subject, we have come to the several resolutions which we now humbly present to his Majesty, and which, we trust, will form the basis of an advantageous and permanent commercial settlement between his Majesty's kingdoms of Great Britain and Ireland:

"That we have proceeded on the foundation of the resolutions of the parliament of Ireland; but, in considering so extensive an arrangement, we have found it necessary to introduce some modifications and exceptions, and we have added such regula-

tions and conditions, as appeared to us indispensably necessary for establishing the proposed agreement on just and equitable principles, and for securing to both countries those commercial advantages, to an equal enjoyment of which they are in future to be entitled :

“ That his Majesty’s subjects in Ireland, being secured in a full and lasting participation of the trade of the British Colonies, must, we are persuaded, acknowledge the justice of their continuing to enjoy it on the same terms with his Majesty’s subjects in Great Britain :

And it is, we conceive, equally manifest, that, as the ships and mariners of Ireland are to continue, in all time to come, to enjoy the same privileges with those of Great Britain, the same provisions should be adopted in Ireland as may be found necessary in this country, for securing those advantages exclusively to the subjects of the empire : this object is essentially connected with the maritime strength of his Majesty’s dominions, and consequently with the safety and prosperity both of Great Britain and Ireland :

“ We therefore deem it indispensable that these points should be secured, as conditions necessary to the existence and duration of the agreement between the two countries : they can only be carried into effect by laws to be passed in the Parliament of Ireland, which is alone competent to bind his Majesty’s subjects in that kingdom, and whose legislative rights we shall ever hold as sacred as our own :

“ It remains for the Parliament of Ireland to judge, according to their wisdom and discretion, of these conditions, as well as of every other part of the settlement proposed to be established by mutual consent :

Our purpose in these resolutions is, to promote alike the commercial interests of his Majesty’s subjects in both countries ; and we are persuaded, that the common prosperity of the two kingdoms will be thereby greatly advanced ; the subjects of each will in future apply themselves to those branches of commerce which they can exercise with most advantage, and the wealth,

so diffused through every part, will operate as a general benefit to the whole :

“ We have thus far performed our part in this important business, and we trust, that, in the whole of its progress, reciprocal interests and mutual affection will insure that spirit of union so essentially necessary to the great end which the two countries have equally in view :

“ In this persuasion we look forward, with confidence, to the final completion of a measure, which, while it tends to perpetuate harmony and friendship between the two kingdoms, must, by augmenting their resources, uniting their efforts, and consolidating their strength, afford his Majesty the surest means of establishing, on a lasting foundation, the safety, prosperity, and glory of the empire.”

MR. PITT, in rising afterwards to reply to the arguments that had been adduced in opposition to the address,

Confessed, that if to assert roundly and boldly could be admitted as argument, then the house would be fully justified in rejecting the motion he had made ; for he had never before seen so palpable an attempt to impose upon them by loud and positive affirmations and assertions, unsupported by any thing else than the mere credit of the party, as he had been lately a witness of. The noble lord * and the two right honourable gentlemen † opposite to him, had each of them contrived to discover a distinct ground of opposition, and every one incompatible with and contradictory to the other two. The noble lord, who had professed himself the champion of Ireland on the present occasion, had disapproved of the resolutions ; not so much from any thing objectionable in them, as because they came short of the original eleven propositions sent from Ireland, which had been fortunate enough to meet with the noble lord's full approbation. The right honourable gentleman ‡ next him, though he expressed some tenderness for the twenty resolutions voted by the two houses of parliament in England, though he had even betrayed an incli-

* Lord Beauchamp.

† Mr. Eden and Mr. Fox.

‡ Mr. Eden.

nation to receive them as his own by adoption, and regretted that they were not so by creation, was yet willing that they should be strangled in their birth, on account of the odious twin they were coupled with, the eleven propositions of the Irish parliament. The other right honourable gentleman had introduced a new diversity, by adopting the two contradictory objections of his two friends, and by exclaiming against the whole system, as well upon account of the deleterious quality of the propositions voted in Ireland, as upon account of the equally noxious, but directly contrary tendency of the resolutions of the British parliament. In this, it was true, the right honourable gentleman had shewn some reluctance, and had entered a protest in favour of his own consistency; and he would do him the justice to acknowledge, that, however inconsistent he might have been in the different parts of his conduct during the course of the business, yet inasmuch as he had been uniformly and constantly so, it might be said, that he had at least the merit of practising a perfectly consistent inconsistency. There was but one argument in which the noble lord and his two right honourable friends concurred; which was, that there was at present no necessity for any arrangement of a commercial nature between the two countries. The two right honourable gentlemen, however, had strangely contradicted themselves in the course of that argument, for the one had declared his approbation of the amended resolutions, on the ground of their establishing (what he confessed to be wanting) an authority that should control and regulate the whole of the commercial concerns of the empire; and the other had regretted, that in the year 1782, when he moved for the independence of Ireland, he had not retained in the hands of this country an external or imperial right of legislation, which he acknowledged he thought necessary to the full and proper regulation of commercial concerns; thus it was a thing to be regretted that the means had not been retained of regulating the affairs of commerce and navigation, while at the same time it was contended, that no necessity for regulation existed in either.

But this was not the only example of inconsistency that the arguments of the gentlemen on the other side afforded; it happened unfortunately for them that the simple argument in which they all agreed, was directly contrary to the spirit of that resolution on which alone the house had been unanimous, and which was made separate from all the rest, merely because it was on all hands, and by those gentlemen themselves, admitted to be a perfect truism, on which there could not possibly be a second opinion. He alluded to the first resolution, which stated, that it was highly important to the general interests of the British empire, that a permanent arrangement of commercial concerns should be made between the two countries on principles of reciprocity and mutual advantage. Besides this, the words of the resolution moved in the year 1782, by the right honourable gentleman himself,* and the meaning of which was too stubborn and obvious to be explained away, or denied by the right honourable gentleman, were still stronger; for therein it was declared to be indispensably necessary to the happiness of the two kingdoms, that the connection between them should be fixed upon a permanent footing, by mutual consent. Now, coupling these two resolutions, both of which had been unanimously voted, with the arguments used by three gentlemen opposite to him, the whole force of their reasoning amounted to this, that what was indispensable was not at all necessary. The noble lord, in endeavouring to establish this argument, had attempted to prove, that the new duties imposed on British imports in Ireland were not to be considered as proceeding from any hostile views in the Irish parliament, but as being merely calculated to answer the purpose of equalizing, not of protecting duties. Equalizing duties, were, to a certain degree and extent, protecting duties; but the duties imposed by the Irish parliament were not simply equalizing duties, they were considerably greater, and they were the consequence of the uniform and persevering voice of the people. Would any man presume to deny, that at that very moment there existed in Ireland an almost universal clamour for

* Mr. Fox.

protecting duties? and had not the right honourable gentleman* declared, that the voice of the people must ultimately have its weight with their parliament, and be crowned with success? If then there was no necessity at present for this arrangement, was it not evident and certain, from the right honourable gentleman's own argument, that such a necessity must shortly exist? It had been argued also, that the proper time for such an arrangement as the present, would be when it was found to be demanded by pressing and urgent circumstances. Was it a thing to be seriously recommended in any business, and particularly in one so important as that before the house, to defer any step until the moment when necessity should come upon them, like an armed man, and irresistible, and leave no time for the deliberation, and no discretion for the free will of parliament, but enforce the sudden and crude adoption of a system built on the emergency of the moment, wanting all the advantages of previous discussion and minute inquiry?

A regular and settled series of objections had been made to the arrangement, and repeated on every occasion that offered; the ground-work of which was, that on the one hand it materially injured the commerce of Great Britain, and on the other infringed on the constitutional freedom of Ireland. The noble lord, on behalf of the manufacturers, had lamented, that, instead of the idea of equal port duties, and countervailing duties to counterbalance the duties on internal consumption, there had not been a general equalization and diminution of all duties proposed, and had declared, that if the latter had been done, he firmly believed it would have gone a great way to remove the opposition the plan had met with; but he was willing to rest upon the common sense of the question,—Which was most beneficial to the manufactures, a duty exactly equal on importation into each kingdom from the other, or equal port duties, and countervailing duties, to balance the internal imposts? For, to what a disadvantage would the English manufacturer meet the Irish, if the latter had only to pay a small port-duty while the

* Mr. Fox.

former was burthened with the same port-duty, together with additional impositions on the raw material and on the consumption? Much emphasis had been laid on the liberty given to Ireland to supply this country with the produce of our own colonies; but as the countervailing duties would afford an effectual protection to the British merchant in the British market, the opposition on that head had been supported by the old arguments drawn from our navigation laws—those great pillars of our naval power and importance, the custody of which, it was said, we were going to entrust in the hands of the Irish revenue officers, over whom the executive government of Great Britain had no control. But here the right honourable gentleman had forgot, that it was not in the Irish officers that this trust was reposed, but in the officers of our colonies abroad, over whom there was the same control that existed over those at home, and by whom the interests of the navigation laws of England had been hitherto managed; for the checks that had been adopted for the security of those laws were the certificates of exportation from our colonies, which certificates only were to entitle the Irish merchant to the benefit of the English market.

His right honourable friend * had fallen under the animadversion of the right honourable gentleman, for laying down abstract propositions, which he had admitted could not apply in practice to the situation of the two countries; but he by no means thought it blameable, in a case of a particular nature, to have the general theory always in sight, still, however, accommodating it to the peculiar circumstances of a particular case. Thus, if it were admitted to be an ill-founded principle, that, between two countries, whose situations with respect to taxes were exactly similar, the proper method of knitting them together in a commercial connection would be by mutually admitting each other's exports either duty free or on low duties, it naturally followed, that, where their situations were essentially different, in consequence of heavy taxes in the one, and an exemption from taxes in the other, the way to accommodate the prin-

* Mr. Jenkinson.

ciple or theory to the difference of situation was, to superadd to the equal duty on exports of the country less taxed, a countervailing duty adequate to the internal duty paid in the other on its consumption or on the raw material.

Mr. Pitt now proceeded to examine the suggestions that had been made as to the independence of the legislature of Ireland being affected by the provision of the 4th resolution. It had been attempted to be laid down, that no parallel could be drawn between those two kingdoms and two states wholly distinct and separate, upon the subject of the present treaty. This distinction he combated with great spirit and ingenuity, pointing out not only the necessity of such a provision, but also that it was exactly correspondent to the general practice of all countries and states, the most independent and unconnected with one another; and moreover, that it was entirely innocent of the danger with which it was said to be pregnant. The argument by which this distinction was endeavoured to be supported was, that in the present treaty Ireland was to give up her own discretion, as well with regard to the expediency, as to the justice of any new provisions she might be called upon, by the example of the British parliament, to adopt; that she was to be bound blindly, and without any power of deliberation or discussion, by English acts, which she had no right either to alter or reject; and that there was no express previous stipulation of the acts she was to pass, but that they were from time to time to be dictated to her by this country. In order to shew that it was no uncommon or unlikely thing for a treaty between two independent countries to stipulate in the same manner for acts not particularly specified, he should put a case that would shew the house how familiar and how natural such a conduct would be, nay, in many instances, how unavoidable. Suppose, said he, in a treaty with Portugal, that Great Britain should engage that that should be the favoured country, should it afterwards be found advisable to lower the other duties on any commodity of France similar to what we had before imported from Portugal, would it not be incumbent on us, in performance of the before-mentioned treaty, to lower

the duty on the Portuguese article in proportion? And would any person pretend to say, that our being so obliged to act by treaty, was a dereliction of our independence and sovereignty as a nation? Perhaps it might be argued, that this was not a case in point, inasmuch as the original act, by which Great Britain should become liable to the performance of the condition in favour of Portugal, was an act arising from her own discretion, the consequences of which she would have an opportunity of weighing, and which she might either avoid or perform, as she saw most convenient: whereas such an option was not to be left with Ireland, whose acts, under this branch of the adjustment, are to flow from the determination of the British parliament, without any power being left with her to examine the policy or justice of each. But he would put another case equally probable, and to which the same objection could not apply. He supposed, for instance, that, in a treaty with Portugal, this country were to bind herself to lower the duties on the exports of that, in proportion as she should lower her duties on our exports: in this instance, he observed, the discretion under which we would be bound to act, would not be our own discretion, but that of Portugal. But if it was true, that the principle of this resolution could not interfere with the independence of Ireland, so neither could its operation affect or injure her interests. There was nothing that so effectually secured the liberty of a people as a community of interests between them and their legislature; for when those persons who had the power of framing laws were themselves to be as effectually subjected to them as the rest of their countrymen, there was every reason to suppose that such persons would, from motives of private interest, be extremely cautious in passing any laws whatsoever, because they would themselves be subject to them all. If this argument had any weight as applied to a people and their legislature, it equally applied to Great Britain and Ireland on the present occasion, and proved, that of all the treaties ever entered into by any two separate states, this was the safest of all others on the part of Ireland: for in most treaties, one state was bound to the performance of

a certain act, as soon as a different act should be performed by the other, which other had therefore an opportunity of judging how far the whole would be for her benefit, or the contrary, and would of course so far have peculiar advantage; but there was no room for such an advantage between Great Britain and Ireland, because the latter was only to be expected to adopt the very same measures that the former had already found necessary to her own interests, which it was impossible to conceive could ever differ from those of Ireland.

With respect to the idea that Ireland was to be bound to receive every or any law passed by Great Britain on subjects of a commercial nature, and by her construed to extend to the principle of this resolution, without being at liberty to deliberate on it, and to examine how far it was really consistent with that principle, and, if otherwise, to reject it; any such variety of opinion between the two legislatures, would, no doubt, be a very deplorable calamity, because it would be nothing less than a breach of the public faith of one or other of the two nations; since, if the law passed in England were really inconsistent with the principle of the resolution, namely, the "imposing the same restraints, and conferring the same benefits on the subjects of both kingdoms," in that case England would have broken her good faith; whereas, if the law were really squared to the principle, it could not be rejected in Ireland without an equal breach of the treaty. But each of these cases he looked upon as impossible to happen, because the people of Ireland were too well acquainted with their own interests to adopt either, and he could not conceive how a law, that would be beneficial to Great Britain, could be detrimental to Ireland; and it was absurd to suppose that Great Britain, merely for the purpose of doing a prejudice to Ireland, should also injure herself.

The noble lord had complained, that an amendment proposed by him, and which would have obviated all his objections, had not been received. He had been, he said, upon all occasions, as

attentive as possible to the noble lord, knowing and feeling him to be a great source of general information; and this attention had led him to record, with peculiar exactness, an expression of the noble lord concerning that subject. His lordship's words were as follow: "that if laws should be passed in our country, relative to navigation and the colonial trade, and rejected in the other, it must necessarily lead to the worst consequences, to consequences which he could not foresee or conceive." Now, as the noble lord could neither foresee nor conceive those consequences, the noble lord was determined to gratify his curiosity, and to discover, by experience, what they would be; and accordingly he had proposed an amendment, that would, in all probability, have produced the events that were to lead to those consequences with which he was so desirous to be acquainted. This amendment of the noble lord made it entirely optional with Ireland, whether she was to accede to the navigation laws hereafter to be passed in England; whereas the resolution, as it now stood, would in a great measure govern the discretion of Ireland, not by imposing on her an absolute necessity of adopting such laws, but by voiding the whole arrangements, if she should refuse to do it. The whole of the treaty was to depend on that which alone could give stability to any treaty, the good faith of the two nations that were parties to it; but there was another security still stronger, the mutual and demonstrative advantage of each, which was so essentially connected with the preservation of it; for Great Britain could not be detrimental to Ireland.

It was somewhat extraordinary, but, considering the general conduct of certain gentlemen in that house, by no means singular, that it should be imputed as a blame to the resolutions, that the amendments made in them, and, among the rest, those that had been marked out as so destructive to the constitution of Ireland, had not been suffered to originate in Ireland, in order that parliament might be apprized of the disposition of the people of that country towards them; and that this objection should be made by the very persons who formerly made such grievous com-

plaints, that the first propositions were not suffered to originate in this country rather than in Ireland. The right honourable gentleman* had enlarged with great vehemence, and with much boldness, on the general discontents against the resolutions in both kingdoms, although he had not, as his friend near him had done, disclaimed his being an agent for Ireland; and though, by his conduct at present, he seemed to wish to be looked upon in that light, yet he must excuse him, if he (Mr. Pitt) by no means considered him as the representative of the parliament or people of Ireland, and more particularly when he recollected that throughout the whole of the proceedings, although the right honourable gentleman's zeal had always been very great, yet it had been occasionally directed to different objects. He at first stood forward as the champion of the English manufacturers against the Irish, who, he was extremely apprehensive, would receive too great a benefit by those resolutions; and afterwards, he was become as warm an advocate for that very nation whose interests he had so lately most violently opposed, nay, was even sanguine enough to flatter himself, that, forgetful of his recent hostility, they would echo back the same topic of opposition that he himself had taught them, and come to him for grounds of discontent and jealousy. But he was not afraid of the right honourable gentleman being able to propagate his idle suggestions in the sister kingdom; he was persuaded she would see in the resolution, of which so bad a use had been attempted to be made, nothing but what was absolutely necessary, nothing but what was essential to the whole of the arrangement, and above all, nothing that in the smallest degree could be supposed to tend to a surrender of her complete and acknowledged sovereignty. It was, he observed, rather extraordinary to object to the address on arguments grounded on the danger likely to result from a part of the arrangement to the independence of Ireland, when that address, so far from countenancing any idea of an infringement of the independence of Ireland, contained a solemn reprobation of any such intention.

* Mr. Fox.

With regard to the right honourable gentleman's assertion, that the plan was universally disapproved by the people of this country, he had only to say, that certainly it was evident that considerable districts, led away by motives of private interest, and that captious jealousy with which trade is generally accompanied, had expressed their disapprobation of the whole arrangement; but that the majority of the people at large were averse to it, was a circumstance, for the truth or falsehood of which he was ready to appeal to the knowledge of such gentlemen as had availed themselves of the late interruption of the business of that house, and had visited such parts of the kingdom as were not swayed by partial considerations, or biassed by personal inducements;—to those gentlemen he was willing to appeal for the true state of the public mind on the occasion, which he was firmly convinced was not decidedly against the measure as had been represented. He hoped he should always have firmness enough even to face the loudest clamour, if it was ill-founded, and he should be equally ready to listen attentively, and give the fullest consideration to the opinion of the public, or of large and respectable bodies of men, as several of those manufacturers that had opposed this system certainly were; yet still, in a great and comprehensive arrangement, that extended over so great a part of the national concerns, that embraced as well subjects of general policy as of commerce, he thought it by no means fit that parliament should be blindly directed by the voice of the mercantile part of the country, even admitting that the majority of that description of people should come forward on the subject. In all that had been said by the three gentlemen who had spoken against the motion, there was nothing that applied to the question itself; they had all gone upon grounds already debated and determined on by both houses of parliament. The merits of the plan itself was a thing at present of course out of the question; all that remained for parliament now to do, after having approved of the resolutions, was to be informed of the sense of Ireland concerning them; and how was that to be done but by having them transmitted by the crown in consequence of an

address? He wished to know how gentlemen could account for it, that, after a clamour and complaint for so many months that Ireland was kept in the dark with respect to the system going forward, they should now, when that complaint was to be removed, and when the whole of what had been done was to be laid before the parliament of that country, so suddenly change their opinions, and become desirous of still concealing from the sister kingdom, that which they hitherto thought it so improper to conceal.

There was but one topic more on which, after all the trouble he had already given the house, he would then detain them, and that was the last resolution; that which provided for a contribution from Ireland, by the surplus of the hereditary revenue. This, he observed, had been used for the purpose of raising a jealousy in Ireland on the grounds of constitutional infringement. But the argument used that day, was, of all others, the most curious and the most contradictory he had yet heard. It had been stated, that it was repugnant to the principles of modern liberty, and subversive of the policy of the Gothic constitution, to vest in the crown a grant of money for an unlimited time. And by what means was this violation said to be effected? By taking from the hands of the crown that which it has already an uncontrollable right to dispose of, and appropriating it to a particular and certain purpose. This was indeed a surprising method of increasing the power of the crown, and overturning that system by which the executive government had been kept dependent on parliament for its necessary supplies. Another turn had been given to this resolution, as if it were an imposition of tribute on Ireland, and a mark of subordination; but how far, were men reduced to go for argument, when they had no other method of supporting their doctrines, than by finding out and applying odious and ill-founded epithets! Thus, to a provision for the defence of the empire, and that in the way most consonant with freedom—*naval force*, was given the name of a *tribute*, and an insinuation of *subordination* raised upon the equitable and fair proposal of a *contribution for mutual defence*. But he would

not credit any man who should so far injure the people of Ireland as to say, that they would ever suffer themselves to be duped by the artifices and deceptions of any man, or set of men, into an adoption of all those monstrous chimeras that had been so industriously propagated. He had too great a dependance on the good sense of Ireland, and of her regard for this country, to suppose that she would sacrifice her own interests, and the common welfare of the empire, to the far-fetched and speculative punctilios that were so artfully suggested.

After a warm panegyric on the Irish nation, he concluded with adjuring the house, that, now that they had so far done their duty in the business of this arrangement, they would put it into the hands of the Irish parliament, on whose concurrence the further progress of the whole depended.

The motion for the address was carried without a division.

February 27, 1786.

Debate on the Duke of Richmond's plan for fortifying the Dock-yards.

MR. PITT introduced the business:—

He begged leave earnestly to submit to the most serious and deliberate attention of the house, a proposition which, in his humble opinion, it behoved them to adopt previously to their forming themselves into a committee of supply; in order that it might serve as a direction to that committee in what manner to regulate that kind of vote which naturally might be expected from them at the close of the debate. Little, indeed, was his astonishment excited, when he reflected with how prejudiced a comment great numbers of the public had chosen to describe the question for discussion; because, as much within as beyond the walls of parliament, its real nature had been concealed by an insidious colouring, to give a lasting force to which, all arts were put in practice.

The system of fortification had been dragged forth to public

view as deserving the severest censures which could be thrown on any measure of government; and there had been attempts to excite against it, the feelings, the passions, and even the most estimable prejudices of the nation. It was represented as novel in its principle, as unconstitutional in its tendency, by laying a foundation for the increase of the standing army, and as calculated to divert into either a useless or a dangerous channel those resources which ought rather to be applied to that great foundation of our strength, of our glory, and of our characteristic superiority over the rest of the nations of Europe—our navy. Those were in themselves substantial objections, and such as, if they did really apply to the case, ought to carry with them an insuperable authority: but he was come down prepared with such arguments as he flattered himself would appear to the house sufficient to answer, and even overturn, them all; and in order that the whole scope and object of his reasoning might be the more readily and clearly understood, he would state, at the outset, the nature of his proposition, which he had so worded as to comprehend the whole of the several principles on which, in his mind, the question was to stand. He had, on a former day suggested, that the most regular mode for debating the subject would arise in the committee of supply, when the question would be, whether to vote the whole of the annual ordnance estimates, which would amount to about 300,000*l.* or to vote only 250,000*l.* and by such means prevent the application of the 50,000*l.* voted in a former session for the purpose of fortifications, from the object for which it had been intended, by obliging the board of ordnance to apply it to the current service of the year: and, by so doing, to put an effectual stop to the whole system. From many things, however, which had fallen from gentlemen on the other side of the house, he was induced to wish, that a different method of arguing the question should be adopted; and he accordingly devised the present mode as best calculated, in his opinion, to afford an opportunity of discussing, in their fullest extent, every principle which could possibly be involved in the proceeding, as well those in opposition to it, as those in its fa-

your. It was also more consistent with the great importance of the subject to bring it immediately before the house, in the form of a specific resolution, recognizing a great and momentous principle, and founding on that principle an instruction to the committee, than to send it to the committee at once, as it were incidentally and collaterally. The resolution which he proposed, before he sat down, to move to the house was,

“ That it appears to this house, that to provide effectually for securing his Majesty's dock yards at Portsmouth and Plymouth, by a permanent system of fortification, founded on the most economical principles, and requiring the smallest number of troops possible to answer the purpose of such security, is an essential object for the safety of the state, intimately connected with the general defence of the kingdom, and necessary for enabling the fleet to act with full vigour and effect, for the protection of commerce, the support of our distant possessions, and the prosecution of offensive operations in any war in which the nation may hereafter be engaged.”

He felt it impossible to contemplate this important question without regarding it as a portion of that momentary system which challenged, from its nature, the utmost care of all administrations whatsoever ; a system, upon which rested the security and the glory of the national defence. And, in order to judge of its necessity towards that great object, he should attempt, but with much pain, to bring back the recollection of the house to the unfortunate and calamitous situation to which we were exposed in the late war, much in consequence of our want of those fortifications which it was the aim of the present question to provide. A considerable part of our fleet was confined to our ports, in order to protect our dock-yards ; and thus we were obliged to do what Great Britain had never done before—to carry on a mere defensive war ; a war in which, as in every other war merely defensive, we were under the necessity of wasting our resources, and impairing our strength, without any prospect of benefiting ourselves but at the loss of a great and valuable part of our possessions, and which at last was termi-

nated by a *necessary* peace. Shame and affliction were brought upon us by the American war. Was the house ready to stand responsible to posterity for a repetition of such disgraces and misfortunes? Were they willing to take upon themselves the hazard of transmitting to the next generation those dangers and those consequent calamities, which they had themselves so bitterly experienced? The subject of fortifications was not now for the first time to be discussed; it had been before the house during the course of the last session, and from what passed then, together with what had been done in consequence, he thought there was very little room, compatible with consistency of conduct, for that opposition which he apprehended was intended to be given to the present measure. The house, in the last session, had seemed well aware, that such an inquiry as was necessary towards forming a proper judgment on the subject, was by no means a proper one for it to go into. It had been, on all hands, agreed, that it was, in a great measure, a question of confidence, and they had, therefore, acquiesced in his proposal of sending it to the arbitration of a board of land and sea officers, to be constituted for that express purpose. That board had, of course, been appointed, and consisted of every thing that was great and respectable in the two professions; they had given the subject a higher degree of consideration and research than had ever been known on such an occasion in any other age or country. The report made by that board was in itself so direct, and so conclusive, as to the necessity of the measure, that it ought in itself completely to determine the question, should it even appear that the reasons of a collateral nature, advanced in opposition to it, were entitled to the authority which some persons seemed inclined to give them.

Concerning the questions, “whether the dock yards could properly and effectually be defended by a naval force alone; by a military force alone; or by a naval and military force combined? or whether it was necessary that fortifications should be erected for their defence? and if so, what sort of fortifications were likely to be most effectual?” the board had answered, that

neither a naval nor a military force, nor even both united, could afford a sufficient security for the nation to rely upon; but that the fortifications were absolutely necessary, and that, of all modes of fortification, the mode suggested by the master-general of the ordnance* was the most eligible, as being the most adequate to the defence proposed, capable of being manned by the smallest force, requiring the least expense to erect, and, particularly, as affording an increasing degree of security as they were erected; insomuch as, that, if any given portion of them were completed, and the remainder unfinished, yet even that part so completed would afford a great deal of strength. Such were the characters and abilities of the officers who composed that board, that it would naturally follow as the highest degree of inconsistency, were the house, after having referred the various branches of the detail of the enquiry to the board of officers, to reassume that duty which they had already declined, as being out of their reach, and attempt to revise and correct the report of the board. All that the house ought to attend to was the general result of the report of that board; for it was itself incapable of investigating the subject minutely, and by detail, much less was it capable of correcting or deciding on the report of the officers. In order to diminish the credit of the report, (for the credit of the persons who framed it could not be impeached) attempts were made to prove, that the instructions given to the board of general officers were such as confined them to the necessity of coming to one certain result, by means of *data* proposed for their consideration, which were all merely hypothetical, and afforded no latitude to them for the exercise of their own judgment. But how was it possible this could have been the case, when to the two first *data* the whole board were unanimous in giving their opinions? and their opinions on those *data* were entirely conclusive on the whole of the subject, for they went (and that unanimously) to establish the necessity of fortifications. Was it credible that a board, consisting of such men, could possibly be duped by chimerical and absurd hypotheses, so absurd and so extra-

* The Duke of Richmond.

vagant, that he recollected the honourable general * had stated them as tantamount to a *convulsion of nature*? Was it to be supposed that they could be so easily misled, and drawn unanimously into an opinion on a subject of such magnitude, and contrary to their own conviction? But, in fact, it was impossible to impute any such delusion in the present instance, for the answer to the first *datum* was absolutely unqualified and positive, and recognized the necessity of fortifying the dock-yards; the second enforced the same necessity, it is true, with a proviso;—but of what? the expense of their erection, and our ability to furnish a force to man them. It was not fair to argue that the whole result of the report was founded upon *data* in themselves improbable and ill-grounded, when, in truth, the principal *data* by which the several parts of the report had weight, were not the original *data* referred to the board, but such as they thought necessary to substitute and adopt, as a foundation for their ultimate opinions. This idea was in itself so absurd, that from the very words in which it had been expressed, and which he had before repeated, it appeared as if the gentlemen who had used them were in collusion with the house, and endeavouring to put their own opposition into the most ridiculous point of view. He should think it an insult to the officers concerned in the report, if he thought of saying any thing more in answer to a suggestion so much to their dishonour, as that they had been so egregiously and so palpably duped by an article so shallow, and of course so easily detected.

Some reliance had been placed, in former conversations, upon the dissent of certain members of the board, with respect to their opinion, touching particular parts of the subject. The instances of dissent, however, were not many, and they were such as he flattered himself could not stand as an insuperable objection to the general result. He felt himself rather in a disagreeable situation, at being obliged, in arguing the subject before the house, to attack the opinion and authority of any individual member of the board; but with respect to one * of the two very respecta-

* General Burgoyne.

ble land officers, who had in any instance dissented from the rest, his uneasiness was the less poignant, because the honourable general was on the spot to explain and support his own judgment; though even still he felt for the honourable general, who, he knew, would not think himself at liberty to enter so deeply into several of the more delicate parts of the question, as, perhaps, were his own justification alone concerned, he might wish to do. With respect to the other officer,* his feelings were more distressing, because he was obliged to canvass his opinion in his absence. Those two officers had joined with the rest of the board in their two first unanimous opinions, with respect to the necessity of fortifications towards the defence of the dock yards; but they afterwards, by a subsequent proposition, declared, that notwithstanding such necessity, yet they were useless, because we were not masters of a sufficient military force to man them. He begged the house for a moment to consider the conclusion which would follow from such premises; because if nothing but certain fortifications could possibly afford protection to our dock yards, and if we were unable to garrison those fortifications when erected, what must prove the consequence? Deploable in the extreme. It must be, that we were unable to protect them at all. The nation, however, need not despond at the prospect thus, unintentionally he was convinced, presented to them by the noble earl, for whose character he had the highest veneration, and whose noble disinterestedness, together with the brilliant example which he held out to the nobility of the age, in the active service of his country, and the uniform tenour of his conduct, were sufficient to add lustre even to the rank which the noble lord already filled. They need not despond at this uncomfortable prospect; for the papers laid upon the table, in consequence of the motions made by the enemies of the measure, clearly proved, that we should by no means stand in need of a greater force for the purpose of defending those fortifications, than we could easily afford to that service.

It would appear from one of those papers, that, in the year

* Earl Percy.

1779, we had about fifty-three thousand men in South Britain, who were constantly and uniformly increasing, until the year 1782, to upwards of seventy-one thousand. There was also another paper on the table that had been demanded by the gentlemen on the other side, which gave an account of different cantonments in which those troops had been stationed during that period; a paper which he could not think in any way material for the government of the present question, unless the right honourable gentleman * opposite was ready to undertake to prove, that, like all the other arrangements made during the course of the American war, the disposition of the army through England was the very best and wisest which human ingenuity could devise. It appeared, however, from this paper, that the number of troops stationed in such cantonments, as might be considered within reach of Portsmouth and Plymouth, was, in 1779, above sixteen thousand men, and that it had, in the year 1782, amounted, by a progressive increase, to twenty-one thousand five hundred in each case, including that most invaluable resource of national defence, the militia. Let gentlemen judge from this state of our military force, whether it would, in case of an invasion, prove difficult to furnish a sufficient garrison for the proposed works. But when it was to be considered, that our forces in Great Britain bore scarcely any proportion to those which we were obliged to distribute through our then extensive dominions, and that, from our present situation, it was not likely that any such distraction of our military power would ever again take place, it might be looked upon as able to command a force fully adequate to the maintenance of the fortifications, without in any degree derogating from the respectable defence of all our other dominions. On this part of the subject, some gentlemen had thought proper to throw into derision and ridicule the whole enquiry of the board of officers, as if they had proceeded to investigate the question of fortifications, without having any state of the probable means of supplying those fortifications with troops for their defence laid before them. But he would only desire the house to turn over

* Mr. Fox.

the names of the land officers who sat at the board, and then to say, whether there was any foundation for such a reflection. Was the Duke of Richmond—Was Sir Guy Carleton—Was Sir William Howe—Was Lord George Lenox, who commanded at one of those places—Was Earl Cornwallis, his respect for whom he should extenuate, were he to attempt to express it—Was Sir David Lindsay, who commanded in another of those places—Was Sir Charles Grey, who commanded in a third, and who, besides, served in the course of the war with the greatest brilliancy, in the remotest parts of the globe—Was General Roy, who, at the time, was quarter-master-general to the whole—Were all those gentlemen to be supposed ignorant of the general military strength of the kingdom? Or, was it to be contended, that, to enable them to form an opinion on so broad and extended a question, it was necessary that the returns of every regiment should have been laid before them? Surely gentlemen would not persist in such weak and groundless arguments!

There was, besides, in the report, another instance of disagreement in opinion: that, however, he conceived, ought not, and could not carry any very great weight; not from the person from whom the dissent came being at all deficient in authority and consideration, but from a circumstance standing on the face of the report itself. The name of an honourable officer* appeared to a dissent to the answer given by the board to the third *datum*. It was to be observed that this *datum*, together with its answer, was omitted in the report, as containing matter not safe to be made public. This consideration rendered it impossible for him, consistently with his duty, to attempt to examine it in detail, and to combat the opinion of the honourable officer upon its own ground; but yet he had a stronger argument than any other he could be master of, and that was, the opinion of the honourable officer himself, who had, six weeks before, as appeared from the minutes of the board, given, together with all the other members of the board, his opinion directly in favour of the principle which that *datum* was calculated to establish. If he was mistating the

* Captain Macbride.

honourable officer, he begged to be set right ; but he believed it would be evident to any gentleman that would look at the report, that he was perfectly correct——

[Captain Macbride here interrupted Mr. Pitt.—He admitted that the statements of the right honourable gentleman were perfectly exact, but declared, that still he could not avoid embracing his former idea, that the opinion of the naval officers was fully in the teeth of the fortifications proposed at Plymouth ; and for this assertion he had Admiral Barrington's authority, whom he had seen and talked with upon the subject during a part of the intermediately preceding days. The fact was, that the naval officers were not permitted to have an opinion of their own manifested.]

MR. PITT, resuming his speech, remarked that as he had courted the corrections of others to fall upon the accidental, certainly not voluntary, errors in his statement, so it could not follow that he experienced the least concern, but rather pleasure, when he discovered the honourable gentleman corroborating, instead of refuting, his representation. The honourable officer, then, had formerly united with the rest of the board in an unanimous vote upon the subject of the third *datum*, and had afterwards, after an interval of six weeks, retracted that vote, and entered another on the minutes of the board, diametrically opposite to it. Thus, each opinion had the authority of the name of the honourable officer ; and if any dilemma arose in forming a judgment between them both, it became easily solved by referring to the report itself, in which it would appear, that, though each opinion was equally supported by the honourable officer, yet the casting voice between his first and second opinion was given by the whole board, by which he acted in favour of his former opinion, and of course there could be no room for the house to hesitate a moment which of the two they ought to adopt.

There was another circumstance which he thought it necessary to state under the head of the dissents from the general purport of the report, that he might answer it in order ; although it did not arise out of the report itself, but had been taken up in that house for the first time by the honourable officer, when he stated that the fortifications proposed to be erected on the lands adja-

cent to Whitesand bay, were directly in the teeth of the opinion of all the sea-officers. He begged the house to attend particularly to the two distinct branches into which that part of the question was divided; one of a naval, the other of a military consideration. That which more immediately demanded the judgment of the naval service was the practicability of the enemy effecting a landing at all upon the coast, together with the various circumstances of tides, winds, soundings, currents, and anchorage, which might be necessary, and the probability there was of all those concurring, so as to enable an enemy to land at all, and to remain long enough off the coast to cover and complete their debarkation; the other subject was for the discussion of the land officers singly, and had for its object the most effectual method of so fortifying the coast, as to prevent the enemy, should they effect a landing, from penetrating the country. The opinion of the sea officers was, that, in certain circumstances, it was possible for an enemy to land; and he could only account for the objection of the honourable officer against fortifying a coast on which an enemy might (as it was admitted) land, by that gallant spirit and bravery which would at all times induce him to turn his thoughts more to the animating and brilliant prospect of attacking his enemy, than the less glorious, but still prudent, duty of providing for his own defence. In furnishing, however, the part of the country in question with forts, they ought not to confine themselves solely to the idea of an enemy's landing in Whitesand bay. They should consider whether it would be practicable for him to land in any place to the west of Plymouth; for if he could do so, then were these forts absolutely necessary for the defence of that town and its dock yards; they were the very posts which an enemy would most eagerly endeavour to occupy, because from them they would be able to bombard the dock yards. All persons who knew our coasts, and such as, to their own honour, and the glory of their country, were acquainted with the coasts of our enemies, knew also that it was absurd to think of fortifying every part of them which could afford landing-place for the purpose of an invasion. The

consideration was, where would an invasion prove most detrimental; and, upon that spot, to erect such fortifications, that not only an invasion by sea should not become practicable, but that, if an enemy should have been able to land in another place, he might not also be able successfully to attack them there. He hoped to hear no more of Whitesand bay; for it was not the defence of that bay, it was the defence of the dock yards of Plymouth, which was intended; it was not a landing there alone which was to be prevented; it was a landing on any part of the coast which was to be defeated, at least as far as it had an attack on Plymouth for its object; and if Whitesand bay were surrounded by a wall of adamant, still Plymouth could not continue safe unless those grounds were fortified. He hoped, and believed, that he had completely done away the whole force of the dissents of the several officers to whom he had alluded; and now he should attempt to answer objections of another nature.

It had been thrown out, and much stress seemed to be laid upon the position, that the whole system of fortification was new and unprecedented in this country; but this idea he was prepared to combat in the most direct and positive manner. The system of fortification did always make a part of the general defence of England, and he would prove it by the most incontestible records of history. Even during the reign of King Henry the Eighth, there was a provision made, by statute, for fortifying certain parts of the coasts. The statute he would not take upon himself to read, because the terms in which it was couched were become obsolete, and almost unintelligible. The same policy was observed by Queen Elizabeth, and formed a considerable part of the defence provided by that great and glorious princess, against the unexpected attack of the armada. In the less prosperous reigns of the Stuart princes, the same system was occasionally continued, and again adopted by our illustrious deliverer, William the Third. During the reign of Queen Anne, at the time when the victories of the British arms were forming an era in the history of Europe, at which England looked back with pride,

and other nations with amazement, did our ancestors think it incompatible with their fame, with their liberty or their constitution, to fortify the most vulnerable parts of their coasts, as it was now proposed to do?—On the contrary, there was a resolution of the commons, not even at the desire of the crown, laying down the necessity of fortifying the dock yards against any possible invasion, and those resolutions were founded upon estimates of plans which had been made under the reign of King William. The estimates of those fortifications amounted to a sum, which, considering the difference between those days and the expensive times in which it was our misfortune to live, gave no great room for a charge of prodigality against those who had digested the present plan. The money then voted was 300,000*l.* which, when compared with the value of money at this day, would not appear as a very trifling sum. To come down to a later period, a period to which it might be supposed he was somewhat partial—the last war—the last war! would to Heaven we could call it the last war!—not indeed the last war, but the last on which Britons could reflect without either a sigh or a blush—the war of contrast with the last! the war in which the name of Britain was exalted above the highest and the proudest of nations, by successes as stupendous, and conquests as glorious, as our late miscarriages and defeats had been calamitous and disgraceful!—What was the policy of the administration of that day? That it was exactly similar with what was now recommended he would prove by one or two short extracts from the statute book. The first was from an act of 22*d* Geo. II. for providing fortifications for the dock yards; and the second was for a fortification for some more insignificant place (Milford, as well as he could remember) in which the very grounds of the policy now inculcated were recognized; that, by procuring adequate means for domestic defence, the nation would become more at liberty to send its fleets abroad, either for the purpose of defending her foreign settlements, or carrying the operations of offensive hostility into the center of the enemy's possessions.

Thus it might be seen, that in the very best days of this coun-

try, the system of fortification was uniformly practised and encouraged; but even in a much later period, and during the administration of the right honourable gentleman* opposite to him, the very identical plan of fortification then under discussion had been considered, and an estimate for carrying it into execution was presented to the house. He supposed that the right honourable gentleman who contended for the propriety of ministers being always ready to make up their minds on every subject which related to the force of the country, and who had himself, it appeared, made up his mind on the subject, was now ready to give his reasons for that change of opinion, which, it was to be feared, he intended on the present occasion to avow. For his own part, notwithstanding the great abilities and uncommon versatility of talents, which the right honourable gentleman was well known to possess, he apprehended that he would not be able to reconcile, to any principles of consistency, his practice of making up his mind when in administration, and unmaking it with so much facility when out of office. He should, however, expect to hear that particular circumstance fully explained, as far as so extraordinary a change of opinion in such a peculiar variety of circumstances could admit of explanation.

As to the necessity suggested as likely to ensue from this measure of augmenting the standing army, nothing could prove more void of foundation. It had been unanimously reported by the board of officers, that the plan of fortification proposed was the best calculated for the defence of the dock yards of any other which could be devised, and that it was such as was capable of defence by the smallest number of troops. Would any person, then, contend that a smaller number of troops, independent of fortifications, were able to defend a place better than a large body, assisted with the best possible fortifications? Such an idea was too absurd to be argued against; and yet, in fact, it was the only idea on which that topic of opposition could possibly be

* Mr. Fox.

maintained. Should we, in case of an invasion, trust solely to our standing army, then there would be a necessity of augmenting, to a most enormous degree, that army on which the whole safety of the kingdom was to rest. Was this the way to vindicate and secure our liberties? If we did not keep up such an army, then we should be reduced to the necessity of recurring to foreign assistance; perhaps to the protection of mercenaries, bribed by our money, and who, when we had no longer occasion for their service, would prove as ready to turn their arms against ourselves. Was it less desirable for us to be defended by the walls of Portsmouth and Plymouth, garrisoned by our own militia, than to purchase the protection of Hessian hirelings? The plan was objected to upon the ground of the expense which would attend it, and of the probability that we could not expect to be free from a war until it should be completed, and that we should derive no advantage from them at the time of the greatest necessity. As to the latter of these objections, he requested the house to recollect the words of the report upon the table, from which they would learn, that the plan of fortification proposed to be adopted, was one calculated, even in an unfinished and imperfect state, to afford great means of defence; and that every part of them, though wanting all other assistance, and standing singly by itself, would prove highly useful and of course desirable. Thus, every part would be answerable to the great object; and so far from rendering it necessary for the house to hold itself committed to a constant and periodical expense until the whole was completed, the fact would be, that every year the necessity of adding to the fortifications must diminish, because every year the dock yards would receive additional strength.

With respect to the expense attending the building of the works, he flattered himself, that his sentiments and ideas on the subject of the finances of this country, was not a backward feature in his political character—He hoped that he had not shewn himself remiss in any endeavours which could possibly tend to raise the revenue from that deplorable state to which it was re-

duced by the melancholy process of the late war. It was too well known how much his feelings were engaged, not only by the duty of his station, and by his attachment to his country, but by considerations of his own personal reputation, which was deeply committed in the question, to exert every nerve, to arm all his vigilance, and to concentrate all his efforts towards that great object, by which alone we should have a prospect, by relieving their burthens, of transmitting to our posterity that ease and comfort which ourselves felt the want of—*an efficient sinking fund of the national debt*; to accomplish which was the first wish of his heart, and this, as well by every means of prudent, well regulated economy, as by a rigid collection of the revenue. But was he to be seduced by the plausible and popular name of economy—he would not call it only plausible and popular, he would rather say, the sacred name of economy—to forego the reality, and for the sake of adding a few hundred thousands more to the sinking fund, perhaps render for ever abortive the sinking fund itself? Every saving which could, consistently with the national safety, be made, he would pledge himself to make; but he would never consent to starve the public service, and to withhold those supplies without which the nation must be endangered.

The relieving by every such means as his duty would suffer him to adopt, the burthens of the people, and removing that load of debt by which she was oppressed, was the grand and ultimate end of his desire; it was the pedestal to which he would wish to raise a column which should support whatever pretensions he might have to reputation and popularity; but let it be well considered, how far the objects of necessary defence, and of public economy, could be reconciled, and let the bounds that divide them not be transgressed. Let it be well weighed, what a certain security for a lasting peace there was in a defensible and powerful situation, and how likely weakness and improvidence were to be the forerunners of war. But should a war happen, where was economy? What was become of the sinking fund? The very expenses of one year's loan would amount to more than the

whole of those fortifications which might have secured us peace, because they would have diminished, or effectually destroyed, all temptation or hope of success in an attack. In this point of view, as the means of preventing a war, he should conceive, that the first million which would be applied as the foundation for the sinking fund, might not be better applied than a million of money for the fortifications; not that a million would prove necessary, but he chose to state it as high as any other gentleman, let his talents of exaggeration be what they might, could possibly carry it.

There was also another part of the subject which ought to have the greatest weight of all, and this was, that these fortifications being calculated to afford complete security to the dockyards, would enable our whole fleet to go on remote services, and carry on the operations of war at a distance, without endangering the materials and seeds of future navies from being liable to destruction by the invasion of an enemy. It had been insinuated, that the second *datum* in his Majesty's instructions had been used to draw forth an acquiescence from the board of officers, upon an unreasonable supposition of the fleet being absent for an improbable time. He believed there were few gentlemen could forget, that at no very distant period, even since he had the honour of a place in his Majesty's councils, the fleet had been absent for a time nearly equal to that supposed in the *datum*, upon a service which this country could not have dispensed with without sacrificing the most brilliant success which attended us in the late war;—a success of such lustre as to spread an irradiation over the more gloomy scenes in which we had been involved. Had we been then in fear of an attack upon our coasts, which, from reasons not proper to be mentioned, we happened not to be, Gibraltar, and the renown of defending it, must have been for ever lost. But it was not only by foreign expeditions that we might lose the aid of our fleet in case of an invasion; it might so happen, that our fleet, though in the very channel, might be prevented by contrary winds, tides, or other contingencies, from arriving to the assistance and relief of the dock

yards. What would then prove the situation of this country? The enemy might, in one day, in one hour, do an irreparable injury, and give a mortal stab to the very vital principle of our national vigour; might effectually destroy the seeds of that navy from which alone we had to hope for commerce, for safety, and for reputation. On the whole, he really thought the present rather a question to be considered as connected with our naval establishment, than that of either our army or ordnance, as it was calculated to give liberty to the fleet which had hitherto been confined to our coasts, and as it were to the defence of those dock yards, without the security of which, the very existence of the navy, or even of the nation, must be no more. Were it to be asked, why the sum required for these fortifications had not been demanded for strengthening the navy, he should answer fairly, that he thought the same sum laid out upon the fleet, would by no means afford a proportional strength to what would be derived from the fortifications. The money which would prove sufficient to accomplish those works, would not build as many ships as would answer for the defence of those invaluable harbours of Portsmouth and Plymouth. There was, besides, a certain degree beyond which the navy of this country could not go; there was a certain number of ships, beyond which she could neither build nor man any more: what that line was, he could not, nor would it be proper for him to point out; yet necessarily such a line must exist in the nature of things, but there never could be any line drawn to limit the security which we ought to provide for our dock yards. What could be the reason that gentlemen on the other side of the house seemed so anxious to impede this measure? Were they bold enough to stake themselves upon a question of such awful magnitude, and to stand forward with such decided vehemence as the opponents of a measure, which parliament, thinking itself incompetent to scrutinize, had referred to the highest professional authority in the army, and in the navy; which had received the sanction of that authority; and which the ministers

of the crown, who could have no personal feelings on the subject, except such as from considerations of their own ease and advantage were adverse from it, and who could have no temptations towards it, but a strong sense of its indispensable necessity, declared themselves so much interested about, as to be unable to rest upon their pillows so long as it remained in suspense? He called upon the house to beware how they suffered themselves to be lightly drawn into a line of conduct which might involve their posterity, nay themselves, in the heaviest calamities.

He flattered himself that more arguments were scarcely necessary to prove, that the proposed system of fortifying the dockyards was absolutely necessary for the preservation and security of the sources of our marine in case of a future war, and that the system in question had received the unanimous sanction of a board of land and sea officers, consisting of the most respectable and experienced characters in the two services; and that they had in their report pronounced the plan the best adapted to its purpose of any which could be devised, grounded on the most economical principles, and requiring the smallest number of troops. Viewing it properly, it was a naval question, and as such it ought to be considered, because while it gave security to the vital springs and sources of our marine, so far from rendering an increase of the military force of the kingdom necessary, as some gentlemen, from a laudable jealousy of the standing army, and from a natural and zealous regard for the constitution, had been led to imagine, it would actually tend to enable government to keep up a less military establishment than otherwise must be maintained. Thus circumstanced, he should rest all his hopes of support solely upon the power of his arguments to prove what he had asserted in that respect. Having read the words of two preliminary resolutions, which he remarked would prove declaratory of the opinion of the house upon the subject, (should they think fit to adopt them) and which, by being voted previous to their going into the committee of supply, would lay

a foundation for their future proceedings, and rest their votes in the committee upon a perspicuous and permanent footing, Mr. Pitt concluded with moving his first resolution as follows :

“ That it appears to this house, that to provide effectually for securing his Majesty’s dock-yards at Portsmouth and Plymouth, by a permanent system of fortification, founded on the most economical principles, and requiring the smallest number of troops possible to answer the purpose of such security, is an essential object for the safety of the state, ultimately connected with the general defence of the kingdom, and necessary for enabling the fleet to act with full vigour and effect, for the protection of commerce, the support of our distant possessions, and the prosecution of offensive operations in any war in which the nation may hereafter be engaged.”

After a long discussion of the subject, the House came to a division;

For Mr. Pitt’s motion 169

Against it 169

when the Speaker, by his casting vote, decided the question in the negative.

March 29, 1786.

The House having resolved itself into a Committee of the whole House, to take into consideration that part of his Majesty’s speech on the 24th of January last which recommended the establishment of a fixed plan for the reduction of the National Debt,

MR. PITT addressed the chairman of the committee as follows :

Sir, The object I have to refer to this committee is, to consider of the means of decreasing the national debt. To attempt to recommend this purpose by any words would surely be quite superfluous : the situation of this country, loaded with an enormous debt, to pay the interest of which every nerve has been stretched, and every resource nearly drained, carries with it a stronger recommendation than any arguments I could possibly adduce. That something should be done to relieve the nation from the pressure of so heavy a load is indeed acknowledged by

all; and, I trust, that in this house there is only one feeling upon the subject. To you do the public turn their eye, justly expecting, that from the trust you hold, you will think it your duty to make the most serious efforts, in order to afford them the long-wished-for prospect of being relieved from an endless accumulation of taxes, under the burthen of which they are ready to sink. Upon the deliberation of this day do they place all their hopes of a full return of prosperity, and that public security, which will give confidence and vigour to those exertions in trade and commerce, upon which the flourishing state of this country so much depends. Yet not only the public and this house, but other nations look to the business of this day; for, by the establishment of what is now proposed, our rank will be decided among the powers of Europe. To behold this country emerging from a most unfortunate war, which added such an accumulation to sums before immense, that it was the belief of surrounding nations, and of many among ourselves, that our powers must fail us, and we should not be able to bear up under it; to behold this nation, instead of despairing at its alarming condition, looking boldly its situation in the face, and establishing upon a spirited and permanent plan the means of relieving itself from all its incumbrances, must give such an idea of our resources, and of our spirit of exertion, as will astonish the nations around us, and enable us to regain that pre-eminence to which we are on many accounts so justly entitled. The propriety and the necessity of adopting a plan for this purpose is not only universally allowed, but it is also admitted that *immediate* steps ought to be taken to make provision for this purpose. And I am persuaded, that whatever differences of opinion we may have in this house upon political points, no difference of opinion will this day be entertained that effectual provision be immediately made to reduce the debt of this nation.

The chief subject then before the house is, not whether the recommendation in his Majesty's speech should be complied with; nor even is it a matter of dispute what sum ought to be allotted for this purpose; for it seems agreed, by common consent

of all, that one million annually ought to be laid aside as the means of gradually accomplishing this desirable purpose. The great points which we have to consider are, In the first place, what measures ought to be taken to acquire a million for this purpose. Secondly, what is the way of applying it. I must here congratulate the nation upon the arrival of this wished for day, when all despondency and gloomy fear may be laid aside, and our prospects brightened with joy and hope. With how much pleasure am I able to add, that this can be carried into effect without laying any heavy new burthens upon the people. This is beyond the hopes of almost every man, and is indeed a subject of the greatest rejoicing to every friend of this country.

In order to be acquainted with our real situation, to see what we have and what we want, I mean to state to the committee the annual income and the annual expenditure of the nation, as the ground upon which we are to proceed with regard to the object before us. This has already been done by the select committee, who were appointed for the purpose of examining into the subject, and whose reports are now upon your table. It is a matter of much satisfaction that this mode has been taken to ascertain the sums of the revenue, and the expense of the nation. You have not the word of an individual, but the report of a committee of this house, who have given an authentic, an accurate, and a clear statement of the whole. This has been long enough published to have put it in the power of every gentleman to examine it with attention, and I hope none have neglected it. It is so much better that every thing of that kind, every thing that contains so many figures, should be stated on paper, than be trusted to the memory, that it will not be necessary for me to detain the house long with that part of the subject.

The committee have very properly arranged their inquiries under two heads, taken from different periods. The first is, from Michaelmas 1784 to Michaelmas 1785; and the second, from the 5th of January 1785 to the 5th of January 1786. In the first period the annual receipt appears to be 15,379,182*l.*; in the second period, in the year ending the 5th of January 1786,

the amount is 15,397,471*l*. There never was a report upon any subject, nor upon such a subject as this, of so much consequence to the nation. The manner, in which it has been brought up, speaks the praise of the committee much higher than I am able to do by any words I could use. The clear, the precise, the accurate mode they have observed throughout the whole; the great attention which they have paid to the object for which they were appointed, deserves the highest encomiums. The care with which they have avoided all sanguine conclusions from the premises before them can never be too much applauded. Rigorous in calculating all contingencies which might arise to baulk the hopes of the nation, and tend to disappoint their hopes of the expected surplusses; most faithful to their trust, most scrupulous with regard to the truth of their statements, shewing at once their respect for the house, their sense of the importance of the business into which they had been deputed to examine, they have proceeded to deliver in a report which, in point of clearness, precision, just and fair deduction, stands eminently distinguished above every report I have ever seen.

The first sum they have stated as the whole revenue that has been received into the exchequer from the 5th of January 1785 to the 5th of January 1786, is 12,499,916*l*. After this, next follow two sums, which they have thought proper to deduct from this sum, which has been received into the exchequer. First are the arrears due from the East-India company, which ought to have been paid before, but had been respited to them, and amounts to 401,118*l*. The other sum, which in the same manner is deducted, is the excess of the window duties, but which, from the alteration of the assessments, will not be paid any longer. These two articles, therefore, being considered only as contingencies, are not reckoned as part of the yearly revenue. These two sums, then, amounting to about 457,200*l*. being deducted, leave a remainder of 12,042,690*l*. This sum, which has been paid into the exchequer, is considered as a part of our stated yearly income, it being, each article of it, made up by taxes which are payable every year.

The rest of the sums which they have stated as the amount of the public revenue, which is something above 3,300,000*l.*, arise from taxes, which, though payable yearly, have not yet been all received into the exchequer in such a manner as to have with them their proper vouchers; but the committee thought right to add them to the sums that had been received. Of these sums there can be little doubt or uncertainty. They are collected by the officers in different parts of the kingdom, according to assessments made and returned to them; where, therefore, these taxes have not actually been received, the assessments are taken, and a calculation made from them, with which there is the greatest human probability of their agreeing: indeed, no other method more clear and conclusive could have been suggested. Of this kind is the additional window tax, commonly known by the name of the commutation tax: this amounts to 380,000*l.* from Michaelmas 1784 to Michaelmas 1785, and 253,000*l.* from the 5th of January 1785 to the 5th of January 1786. The additional tax also upon two-wheel and four-wheel carriages—107,000*l.* for the latter, and 59,281*l.* for the former. The added duty on male servants, 42,000*l.* for the latter period, and 26,000*l.* for the former. Farther duty on horses, waggons, and carts, 73,610*l.* to January 1786, and 56,829*l.* to Michaelmas 1785. It is impossible to say all these taxes have been received, but they have stated them in so cautious and guarded a manner, that there is little reason to doubt of their equalling, if not exceeding, the statement.

After these follow the taxes which have not been all received into the exchequer: those which were laid on in 1784 and 1785, and not having had time for their fair and full operation. The produce of those laid on in the year 1784, at Michaelmas, amounted to 103,000*l.*, and in January to 22,000*l.*; the produce of those laid on in 1785, at Michaelmas last, including the improvement of the medicine duty, amounts to 265,000*l.*, and at the 5th of January to 242,000*l.* To these is added the sum of 14,000*l.*, which is yearly paid at the excise and alienation office in part of the civil list; and also the land and malt tax, which,

being yearly voted, came under this head, and amount to 2,600,000*l.* All these sums added, made together, at Michaelmas 1785, 3,365,000*l.*, which, added to the receipts for that year, viz. 11,874,000*l.*, would produce a sum of 15,379,000*l.* But, in January 1786, the whole of the sums amounted to 3,354,000*l.*, which, added to the amount of the receipts for the year, made 15,397,000*l.*, only a difference of about 20,000*l.*

This, then, is the annual income of this country, and upon the true statement of which there is every reason to rely. There is, indeed, a small difference in the two statements, the one ending at Michaelmas, and the other at January; but, although I should take the smallest, it would not make any difference in the deductions I shall draw from this subject. Indeed, it is well known to those who, from their official situations, have had an opportunity of observing, that it is some time before new taxes can fairly operate. So many evasions are at first formed, and so many frauds committed, that it generally takes some time before they can be levied to their full extent; and it is owing to this circumstance chiefly that there is a difference between the two terms.

Many of the taxes laid on in the year 1784, and almost all those in 1785, are under the description I have given: and I have the greatest reason to believe they will greatly increase in their produce, when evasions are detected, and more effectual means made use of to collect them fully: and, although none of them have been actually paid into the exchequer, nor is it possible from receipt to form any judgment with regard to them, yet I am persuaded that the particular character which the committee have maintained, will appear, with regard to them, that they are stated cautiously, and within their true limits. There is one tax which I may just mention as an instance of the truth of what I have observed with regard to new taxes; that is the duty on game licenses, which has produced 20,000*l.* more since the alterations it received. There is only one error that I can perceive, and that is 4,140*l.*, which ought to be deducted from the

produce of the taxes imposed in 1785. Surely, on a subject of this kind, the sum of 4,000*l.* is not a great deal. Some of the taxes in 1785 are stated upon very sure ground, and from what has been received since January, though not received soon enough to be laid before the committee, give reason to believe they will produce more than they are rated at. Among these particularly is the shop tax, the house tax, and the servants' tax; the other taxes are stated on more uncertain grounds, such as the duty on pawnbrokers, and some others. Upon the whole, I do conceive, that we may rely upon this account as the real revenue of the country. The committee have stated every thing upon the best grounds the nature of the case admitted; and I have stated their results more for the sake of recalling them to gentlemen's minds than to add any thing new. My object is to shew that it is a fair deduction, and may be taken as the produce of the year from January 1785 to January 1786.

Whether or not we can rely upon this as an annual income, to continue at the same rate to this nation, is another question. I do think we may rely upon it so far as to look upon this annual income as a fund for an annual decrease of our debt; yet I do not look upon it as a certain income. Events may happen to swell this produce beyond the most sanguine calculation; and it may also happen that a disappointment may take place upon subjects so complicated in their nature. The trade and wealth of the nation is too fluctuating to admit that any average can be taken. A sudden disaster may blast all our hopes; and it may happen even that, without any disastrous event to this country, we may cut a poor figure for a year, or a number of years. I therefore do not take the liberty to make any other statement but what the committee have made, and would therefore read what the committee have said at the beginning of their report. For the reasoning stated by the committee, you (as much as they expect) have reason to conclude that this flourishing condition of our revenue will continue. We have nothing indeed to fear. We may lay despondent thoughts aside. Every thing depends upon the spirit of this house, and the resolution, the good

sense, and the industry of the country, to put these things out of all doubt. It was more than could be thought possible, that, within a single year, such a success would happen. But it is not confined to one year; ever since the happy æra of the restoration of the peace, this has been more or less the case. The increase was slow at first, but constant; and the happy progress of last year shews, from pleasing experience, that we have no reason to fear its being stationary, or becoming retrograde. A great part of this flourishing appearance which trade has of late put on, and the great influx into the exchequer, have been owing to the regulations that have been taken to crush clandestine trade. This was the more to be believed, as the increase of revenue chiefly appeared from the customs; and this gave room to hope that further great and essential improvements of the revenue might arise from wholesome regulations with regard to articles of illicit traffic. Driven from its strong hold of tea, it lurks in other petty trenches, from whence it may be effectually chased. Every thing that is done to effect this, is introducing a permanent source of revenue by making trade return into a regular channel. What has been done in this way cannot as yet have had its full operation, because, as great capitals were employed in this clandestine business, the occupation will subsist for a while, even although it is a losing trade. The measures taken two years ago, under the articles of tobacco and spirits, have caused the smuggling of these to subside to a great degree, and have much increased our revenue. In the article of salt the frauds are very considerable, and ought immediately to be redressed. But, with regard to wines, the frauds arise to so great, to so enormous a pitch, that, if we will take the effectual measures to repress them, all the deficiencies will be made up in what is stated as the annual progress of the revenue. If we have the means of doing this in our power, and do not make use of them, we must certainly suffer just blame. I intend, for my part, to bring forward very soon a plan for that purpose, which I mean to submit to the consideration of the house, and flatter myself, that, if it meets with their approbation, it will occasion a very great

increase to the revenue of the kingdom. After having in this manner represented every thing in the fairest light I am able, to enable you to form a just view of the whole of the real and probable sources of our national income, I shall now proceed upon the idea that this is a true statement of our revenue, which has been laid upon your table by the committee, and that we may expect (with as much certainty as can attend any thing of this kind) that we shall enjoy an increasing revenue of 15,397,000*l.* per annum.

The next subject of our discussion is, what may be the annual expenditure of the nation. This the committee have also stated, and it amounts to 14,478,000*l.* There is a great part of the particular items, of which this sum is made up, that the committee have omitted to mention, because the sums charged have been previously stated by act of parliament. This they considered as permanent expenses, and therefore distinguish them from what is fluctuating. In the former description they considered the interest of the national debt, which is 9,275,769*l.*, and with the exchequer bills, make a sum of 9,532,000*l.*: this part contains also the civil list, 900,000*l.*; the charges on the aggregate fund, 64,000*l.*; and the appropriated duties, 66,500*l.*: the whole of this division is 10,554,000*l.* The other class of expenses include the different establishments for the defence of the nation; as the army, the navy, the ordnance, and the militia. There may be extraordinary charges for these purposes; but that the committee had not any thing to do with in their present estimate; they have stated the expense only that must be occasioned by a peace establishment, and this they have done on a very enlarged and liberal footing.

They have allowed for the navy, during peace, 18,000 men, which is more than ever had been kept up during any peace; and they allowed for this 1,800,000*l.* It must be observed that the committee did not go to state what ought to be the expense of our navy, but only what, after the deduction of all our expenses, would remain as a surplus; and therefore their business is to

state every thing on the largest probable footing. They have taken the army upon the same mode of reasoning; and they allow for the charge of it a sum of 1,600,000., much greater than was in the peace establishment before the last war, when we had so numerous, but distant possessions to defend: and it is extremely probable that this may be reduced, in a short time, considerably under the sum stated in the report. The ordnance, also, is stated largely: this, however, we shall be under the necessity of keeping up: it was found that we were very wanting in this respect in the beginning of the last war; and it would be very hazardous to allow ourselves to run a similar risk in any other.

The miscellaneous services are taken upon an average of some years back; but I think it is very probable that they too have been stated higher than they will be found to be: these arose chiefly from addresses of this house to the king, for particular grants, and also from the establishments of our colonies abroad, and from bills of exchange drawn by their governors upon the treasury: these services were stated at 74,000*l*. Deducting the whole of the expenditure from the annual income, there remained a surplus of 900,000*l*.

This, then, is the sum which remains to be applied to the purpose of decreasing the annual debt: but, as the fund for this purpose ought to be a million annually, I shall move, in this committee, such taxes as will produce the sum of 100,000*l*. And I am happy to say that this may be done without laying fresh burthens upon the people. I shall move that an additional duty be laid upon spirits: they were formerly charged in what is called the wash, with seven-pence per gallon, that was afterwards decreased to five-pence; I shall now raise it to six-pence per gallon, which will produce about 70,000*l*., without being any encouragement to smuggling. Another I mean to lay is only a modification of a tax; a duty upon the importation of two species of timber, deals and battens: I will rate this at 30,000*l*. I shall lay another upon an article of mere luxury; upon per-

fumery and hair powder: these I will rate at 15,000, or 20,000*l*. So that, altogether, the sum wanted to complete the million will be made up.

After I have now stated these things to you, I must observe that, although this is stated to be the annual expenditure, some time must intervene before the expenditure can be reduced to this point. It must be attended to, that we are only just emerged from the most ruinous and expensive war in which this country was ever engaged. Many of the heavy burthens we incurred during that war, had not ended with the conclusion of it, but still continued, and must be expected some time to continue to hang upon us. Under the head of the navy, many ships that had been laid upon the stocks were to be finished. They had been built too far to allow them to go back, and to be lost to the public; and they were, besides, necessary to increase our naval strength to an equality with our powerful neighbours. This was so considerable, that, although the committee had stated the peace establishment of the navy at 1,800,000*l*., yet the expense attending this present year was 600,000*l*. above it, though it may not, perhaps, be more than 560,000*l*. In the army also, the exceedings were much above the common run of the expense on that establishment; and this amounted to nearly 300,000*l*. This is chiefly expended in a way where justice and humanity forbid economy—to the reduced officers on half pay, and to the widows of officers; a part of the navy extraordinary is taken up in the same way. These two sums would go almost to annihilate the surplus, if it was to be applied to these purposes within the year. But in truth and fact they are not annual charges, they are only the remaining sums of the expenses of last war, and must cease altogether in a few years. It would, therefore, be unfair and unwise to charge them as annual expenditures. In four years the great burthen of them, that of the ship building, will cease: nor can this be effected sooner. I conceive, therefore, that you must look to a future average to come at your expense. It appears to me that this may be done with great safety; and I have not a doubt but that resources are to be found that will justify

this mode of proceeding, and be sufficient to keep every thing well without burthening the nation. And if we judge in this manner, there can be no doubt that the expectations raised by the public will be amply satisfied.

Now, therefore, I wish to call the attention of the committee to this object. I am clear that we immediately appropriate this million to the payment of the debt, even although the time when we shall have this surplus free from all other expenses, cannot be exactly ascertained. I myself am persuaded, that, as I have already intimated, we have certain extraordinary resources to which we may apply to liquidate this sum, without the addition of new taxes. Let us then examine what sums they are for which we have to provide the means of payment.—This extraordinary expense chiefly arises from the navy: and it was occasioned by the very large contracts into which we had entered for the building of ships. On this account 2,400,000*l.* had been called for this year, as the extraordinary expense of the navy; but this would not continue to be required after the ships now building were completed. This would decrease each year, and would be, in every probability, reduced to a standing sum for a peace establishment in the year 1790. This expense, and the very liberal establishment of 1,800,000*l.* would enable us to possess a marine the most flourishing this country ever beheld. As the estimate for the navy stands this present year, it is 600,000*l.* above what is stated at the settled peace expense in the year 1790. But it is to be noticed, that, after two new ships have been completed, which will be in the course of this year, this extra sum will be reduced to 400,000*l.*; this, in four years, amounts to the sum of 1,600,000*l.*, and, with the additional expense of this year, to 1,800,000*l.*

With regard to the army, the expenses also had been very great, but were of a nature which also tended to diminish in time, but which it was impossible to restrict. What this chiefly arose from was, as I mentioned before, from pensions to officers, widows, and to the officers upon half pay; and this sum amounted to about 260,000*l.* Under this head of expense comes also

that occasioned by bills of exchange from our colonies abroad : these amounted to very considerable extra sums of late years. But when we recollect, that we are not now obliged to keep up the immense establishments abroad that we have been accustomed to do, we may expect these will diminish very rapidly. Our chief expense at present arises from Canada ; and from the well-known prudence, honour, economy, and disinterested spirit of the gallant officer who is now appointed to that command, we have every reason to hope that a very considerable saving of expense will be produced. I need only mention his name to enforce conviction of whatever I say in his praise ; the great and gallant officer I speak of is Sir Guy Carleton. Those who are acquainted with his military talents and military conduct, deservedly hold him high indeed. But from his no less acknowledged disposition to economy, from his vigilance and activity, we may say, that, whatever can be done by care and attention will be effected. And at present, even the extraordinary expense is not very considerable, as far as it has come to our knowledge ; but we have reason to think that a saving may be produced on this establishment.

Another matter of expense comes properly under this head ; and it is what the house have already acknowledged to be a just demand upon the justice and generosity of this nation, that is, a provision for the American sufferers. Their situation demands the most tender consideration. Nor would I chuse to mention any sum for this purpose ; if it was a great one, it would raise the expectations of those unhappy people ; and I would not wish to say any thing more to them than that I hope there will be a generous and liberal regard paid to their melancholy and unfortunate circumstances. Another matter of extra expense under this head, is the ordnance ; but as parliament have not decided what is to be the expense of it, and have already disapproved going into large additions to this part of the national establishment, I shall not say what sum will be necessary for this purpose. All these different subjects of expense are, in a great measure, uncertain ; nor is it possible at present to say, with

minute accuracy, to what particular sum they will amount : but I think a sum of 3,000,000*l.* is likely to be the call for those purposes, and to be provided for in the course of two or three years.

There is another matter of expense which the committee have not mentioned in their reports, and which is the subject of the king's message this day ; this will be a matter before parliament. The impossibility of reducing the civil list within the sum of 900,000*l.* allowed by parliament, proceeded chiefly from that part being mortgaged for the payment of certain exchequer bills, by annual payments of 50,000*l.*, which reduced it from 900,000 to 850,000*l.* Of these exchequer bills there remains due about 180,000*l.* and there was besides, an arrear against the civil list of about 30,000*l.* more. The crown had long been embarrassed by this incumbrance ; and that it may be entirely removed, I shall move, on this day se'nnight, when his Majesty's message shall be taken into consideration, for the sum of 210,000*l.*

The whole, therefore, that we are now to find the means of providing for is, the extra expenses of the navy and army, which I have stated liberally at 3,000,000*l.* This is to be accounted for in the course of four years, after which time we shall have a clear annual surplus of a million, unincumbered with any demands upon the national income. Although this sum should be funded, and ways and means found to answer the interest, it would not occasion any great burthen upon the people ; but the state of this country at present is so very flourishing, that I am happy to say that it will not be necessary to burthen the people with any taxes upon this account, but certain extraordinary resources are to be found within ourselves that will abundantly answer what is here required. The committee first make mention of lotteries ; which are indeed a resource that government can have recourse to, but which is in itself so encouraging to a spirit of gambling, that it is doubtful whether it ought to be adopted. The spirit of gambling is indeed so deeply rooted, that I am afraid it is of little consequence whether a lottery be withholden or not, and it is always a resource equal to 140,000*l.* ;

however, as it is not resolved by government whether there shall be one this year, I shall not put it to account.

The next head they mention is that of army savings, and this bears the appearance of being very considerable: and indeed a very considerable sum under this description had been paid into the exchequer; this consisted chiefly of money that had been appropriated to different services and which had not been expended. This had been very considerable in the peace following the war before the last; and from the extent of the immense grants during this war, we might expect much more. Of these sums, together with the surplus of several funds, the amount of 450,000*l.* had already been paid into the exchequer. There are besides this, immense sums in the hands of former paymasters, which, it is to be expected, we shall be able in a little time to come at. The mode, hitherto, of keeping the army accounts has been extremely open to abuse; and accordingly paymasters have taken every advantage to keep the public money in their hands. Notwithstanding this, it is to be hoped that as soon as the commissioners have time to call in the out-standing accounts, they will be enabled to collect a very great sum: this is justified as far as they have gone; but the labour is extremely great, as they have to go through no less than one hundred and eighteen regiments of foot, and as many regiments of horse and dragoons, whose accounts for non-effective men had not been examined into for twenty years together. One regiment they had gone through already had produced 22,000*l.* for the use of government; and although I cannot be so sanguine as to hope that every regiment will produce as much, yet I think I may state the total, including contracts and other articles of abuse, at the sum of 1,000,000*l.*

The next source mentioned by the committee, is a balance due from the East-India company for the subsistence of troops in India, and on account of victualling the navy. This amounted to 600,000*l.*; and there was a probability of its being paid in a very short time. The committee also mentioned the unclaimed dividends in the funds, that a part of them might be applied

consistently with the safety of the public creditors to the public use.

The crown lands are also a source of produce ; but as it is not determined how to dispose of them, I will not mention them in the account ; and that perhaps it might be thought right to apply them to the relief of the American loyalists.

The great article upon which the committee dwell, and upon which they founded their expectations of a permanent surplus, is the improvement of our revenue by proper regulations to discourage smuggling, and give room to the fair trader to reap those advantages which are due to his labours, and which must in every light add to the amount of the customs ; this, both by encouraging the legal merchant, and bringing those goods to a regular entry that would have been clandestinely disposed of. The regulations which had been already made in this respect, had not had room for their full operation, and yet they have occasioned a very great addition to the revenue of the nation, and might be expected still to increase, as this increase is regular and progressive, and not the sudden effect of the suppression of our warlike operations. It is indeed not easy to be conceived, by those not conversant in those subjects, how numerous and how artful the frauds are which are daily put in practice in every subject of the national revenue. One article, that of wine, required immediate remedy ; and I flatter myself with very great sums indeed from this branch. The consumption of wine in this country is not diminished, and yet it does not appear that the average of last year compared with the year 1746, is equal to it in produce of revenue, so far that it sinks below it no less than 240,000*l*. Without laying a burthen upon the country, there are many regulations to be made in the article of spirits that will increase the revenue from that branch of trade. The article of tobacco is another object that attention must be paid to : and I have no doubt that from the regulations that will be proposed in these articles, at least 300,000*l*. annually may be produced. In another session of parliament I intend also to bring about a consideration of the customs, which will undoubtedly add greatly

to the produce of the revenue: we shall not, however, enter upon this at present; I have stated enough to the house. Those who compare our annual sums to our annual expenditure, may here see sums equal to apply to the deficiencies without any new demands, or any new burthens upon the people. I have stated what these deficiencies may be, as matters of uncertainty; but if it be about 3,000,000*l.* the whole may be provided for without any new burthens of any sort. Why, it may be said, do I not fund this? For this good reason; that I shall not, in all probability, have occasion to raise it: even if it were funded now there could be little hazard of its being made good.

I may now proceed to lay apart the million: but before I enter upon that part of the discussion which relates to the particular mode of applying this annual sum, it will be proper to consider the effect it will have. If this million, to be so applied, is laid out, with its growing interest, it will amount to a very great sum in a period that is not very long in the life of an individual, and but an hour in the existence of a great nation: and this will diminish the debt of this country so much as to prevent the exigencies of war from raising it to the enormous height it has hitherto done. In the period of twenty eight years the sum of a million, annually improved, would amount to four millions per annum.

But care must be taken that this fund be not broken in upon: this has hitherto been the bane of this country; for if the original sinking fund had been properly preserved, it is easy to be proved that our debts at this moment would not have been very burthensome: this has hitherto been, in vain, endeavoured to be prevented by acts of parliament: the minister has uniformly, when it suited his convenience, gotten hold of this sum, which ought to have been regarded as most sacred. What then is the way of preventing this? The plan I mean to propose is this: that this sum be vested in certain commissioners, to be by them applied quarterly to buy up stock; by this means, no sum so great will ever lie ready to be seized upon on any occasion, and the fund will go on without interruption. Long, and very long

has this country struggled under its heavy load, without any prospect of being relieved : but it may now look forward to an object upon which the existence of this country depends ; it is, therefore proper it should be fortified as much as possible against alienation. By this manner of paying 250,000*l.* quarterly into the hands of commissioners, it would make it impossible to take it by stealth ; and the advantage would be too well felt ever to suffer a public act for that purpose. A minister could not have the confidence to come to this house and desire the repeal of so beneficial a law, which tended so directly to relieve the people from their burthens.

The persons who should be appointed to this commission should be of rank and distinction, to secure them from suspicion, and to give, as far as character could go, a belief of their discharging it with faithfulness. In the first place, I think it right that the respectable commoner, whoever he shall be, who fills the chair of this house, should be placed at the head of it. Parliament, in instituting a commission of so much importance towards the support of national credit and prosperity, could not more solemnly, nor more pointedly promulgate its high sense of the duty by which that commission is bound, than by appointing the first member of this house to be at the head of it. I think also, without ascribing any thing to myself, that the person who holds an office so intimately connected with finance as the chancellor of the exchequer, ought to have a place in this commission. There is another person, who, from his high rank, as well as from his virtues and reputation, I think ought to have a share in this business, and he is also, at present, a member of this house : this is the master of the rolls. The governor and the deputy-governor of the bank of England I think ought also to be of the number. Also the accountant-general of the high court of chancery, who, by virtue of his office, was already employed in the money of all suitors and wards in the funds, and increasing, by that means, the capital, by the accumulation of compound interests.

Such as these persons I shall propose to be appointed to this

trust, when the bill comes before the committee. There might be some difficulty in determining how to regulate the conduct of the commissioners in the purchase of stock; but that might, perhaps, be left to their own discretion. But, although it might be proper to leave the manner of doing this to their own prudence, it would not be so proper, by any means, to leave to them the regulation of the time when they were to purchase: this, I think, ought to be on every transfer day in the quarter, at regular periods, and in equal sums.

I am very far from ascribing any merit to myself in suggesting this scheme; but, I cannot but think myself peculiarly happy in having a task to perform so very different from any of my predecessors, and that, instead of expending the money of the public, I should have the great good fortune to be led to set about to diminish our burthens. This plan, which I have now the honour to bring forward, has long been the wish and the hope of all men; and I am proud to flatter myself that my name may be inscribed on that firm column now about to be raised to national faith and national prosperity.

I shall not detain the house longer, because, I am persuaded that they must be already tired of the tedious detail upon which I have been under the necessity of entering. The time when the operation of this fund is to begin, I think should be upon the 5th of July. At that time let 250,000*l.* be paid into the hands of the commissioners for this purpose; and after that, continued quarterly: this will make 750,000*l.* to be expended during the three quarters. I shall just mention upon what I found the expectations of having a surplus this year, of 750,000*l.* after paying the current expenses of the year; by which there will appear a surplus over and above the stipulated annual one of some hundred thousand pounds.

	<i>£.</i>
The house had voted for seamen.....	936,000
Ordinary of navy,.....	1,645,000
Extraordinary,.....	800,000
	3,381,000

Army plantations, extraordinaries, &c.....	1,966,261
Ordnance,	333,000
Civil list, &c. making the sum voted,	8,956,261
Exchequer bills,	2,500,000
Sum not yet voted,	810,824
The total of the supplies would be	£. 12,477,085

The ways and means are as follow :

Land and malt tax,	2,750,000
Exchequer bills	5,500,000
Surplus of the sinking fund, in hand,.....	582,000
Estimated produce of 1786,	3,444,000
Arrears from East-India Company life annuities, &c.	1,086,000

Amount of ways and means for the current year,	
1786,	13,362,480
From which deduct the surplus, as above,	12,477,085

Remainder, £. 885,395

From this sum deduct the three quarterly pay-	
ments beginning on the 5th of July, of	
250,000 <i>l.</i> per quarter, for the reduction of	
our debts, amounting to	750,000

And there would be a neat surplus of £. 135,395

But if, as the committee stated, the revenue	
rise according to the latest experience,	
there would still be a farther difference in	
our favour of	313,698

Making in this case a clear excess accruing at	
Christmas next, (above the regular surplus)	
of the sum of.....	£. 449,093

I shall now move, Sir, "That a sum of one million be annually granted to certain commissioners to be by them applied to the purchase of stocks, towards discharging the public debt of this country, which money shall arise out of the surplusses, excesses, and overplus monies, composing the fund commonly called the sinking fund."

The motion was agreed to without opposition.

June 13, 1786.

THE House went into a committee on the charges against Warren Hastings, Esq, when Mr. Fox, in a speech confined solely to the transaction at Benares, moved the following resolution, "That the committee are of opinion, that, having examined the third charge, and heard evidence thereupon, there is matter of impeachment against Warren Hastings, Esq. contained in it."

The motion was seconded by Mr. Francis.

MR. PITT declared, that he had listened with the most fixed and even anxious attention to whatever had been asserted during the continuance of so important a debate, not only because he looked upon the subject as of the utmost magnitude, from its involving in a great degree both the honour and dignity of the British house of commons, and also the general cause of justice and humanity, but because he had heard from all parts of the house, as well from the right honourable gentleman who had made the motion, and the honourable gentleman who had seconded it, as from the honourable and learned gentleman * who had opposed it, many arguments and doctrines to which he could not subscribe, and to which he found himself indispensably bound to express his dissent. He could not but lament, that his duty peremptorily prevented him from doing what his inclination would otherwise lead him to, which was, to absent himself entirely from the whole of the proceedings on the present occasion, for he felt the greatest difficulty and uneasiness in being obliged to determine on judicial questions, the merits of which were so

* Mr. Nicholls.

closely connected with Indian principles and habits, and that under the insurmountable impression of sentiment and feelings imbibed and matured under the British constitution. In proportion, however, to this difficulty, had been his endeavour to make himself perfectly master of the whole of the case; and although, from his other avocations, he was, perhaps, less at liberty to dedicate a considerable portion of his time to the study of it, than most other gentlemen in that house, yet, he could venture to say, that he had, by a most laborious investigation, been able to form such a final and settled opinion concerning it, as had completely satisfied him of the vote which, in conscience, he was bound to give. He should state to the committee, in as plain and concise a manner as he possibly could, the whole of the premises which operated on his mind in forming his conclusion, and this he should do without any restraint from the apprehension that his arguments might be used or perverted to a different result than what he intended; for he thought that if there was any one subject on which a member of that house was bound to use less disguise, and to speak out more plainly than on another, it was on such a subject as that then under discussion—where there ought to be no object in view but the honour of parliament, and the ends of substantial justice, as necessarily and inseparably connected in the question. He should, therefore, take care to avoid entering into the business with that sort of temper and spirit by which some gentlemen seemed to be influenced, and should particularly guard against any impression similar to that which the right honourable gentleman opposite had been so desirous of making on the house, in a manner which he thought, of all others, the most unfair and most inconsistent with every principle of law and justice—by torturing the words and arguments of a man standing on his defence, and drawing from them inferences of motives and of principles calculated to fix upon him, in many instances, a degree of guilt which even the charges themselves did not impute. He should not suffer such means to bias him in voting a censure, where he did not think censure was merited; nor should he suffer his indignation at such un-

justifiable conduct so far to get the better of him as to make him refuse such a vote where he thought he was in conscience bound to give it.

He should first begin by stating to the house his general opinion as to the situation of the zemindars of India, and the degree of subjection under which they lay with respect to their superior lords. He had made every research in his power into this part of the subject, and as far as it was possible to ascertain, in England, a question of Indian politics, liable even there to great uncertainty and variety of interpretation, he hoped that he had been successful. Mr. Pitt then went into the general doctrine of subordinate principalities, pointing out the nature and extent of their subjection to the superior state, and the necessary dependance to which they must in all cases be liable. It had been a subject of many different opinions, what was the true tenure under which the zemindars of the empire of Hindostan held their possessions. Some had supposed them the real proprietors of the soil, while others looked upon them as mere trustees for the superior lord, and entitled to no part of the produce or value of the lands, except such as were allotted to them for their subsistence. Some had conceived them to be possessed of only a life estate, and to be the mere channels or vehicles of the revenue; while others contended that their interest was hereditary. It was, however, of very little consequence to the conclusion which he meant to draw, what was the express nature of their tenure. It was enough for him that it must, in the nature of things, and from a number of special circumstances, become liable to demands for certain extraordinary aids in case of extraordinary emergencies. It was impossible to suppose the existence of any state which had no provision made for extraordinary resources in cases of extraordinary dangers: the most common, because the most obvious, mode of procuring this extraordinary resource, had, in the earliest periods of the feudal institutions, been, by calling on the several vassals of the state for their personal service in arms. This right was a fundamental maxim in every government, and one to which no individual could possibly object,

because it was by the joint power of the whole aggregate body alone that the person and property of the individual could be protected ; and it would be a treason against itself, in any state, to exclude a principle so obviously necessary to its very existence. Those personal services of the tenants of lands became, in time, almost universally commutable for money, which was found better to answer the exigencies of government, and the convenience of individuals ; and from hence the principle which had formerly applied to the persons, extended to the property of the people, and each was considered as bound to contribute in proportion to the benefits which he derived from his political capacity, as a member of a regular community, that is, in proportion to the possessions which he held under it. He instanced this from the policy of the original feudal institutions of Europe, and particularly of England, in the case of sudden danger, when, over and above the stated rents and services reserved to the crown, there was a right to call upon the tenants for particular and extraordinary service, either of a personal or pecuniary nature—and from such demands even the counties palatine were not exempted, although the proprietors had the exercise of every species of internal jurisdiction within them, in as ample a manner as any of the Indian zemindars. He then applied his argument more particularly to the empire of Hindostan, where, he said, the same policy had been adopted and practised ; and, to prove that it was so, he gave several examples from the recent history of that country, and particularly that of Cossim Ally Khan, who, as was stated in one of the charges, had received in presents from his several vassals above one million and a half of money for the purpose of supporting the expense of his military operations ; and these presents, he said, were, as nearly as possible, similar to the benevolences formerly known in the politics of this country, which benevolences were literally the commutations of the military vassals, for their personal services. Even this very Cheit Sing had been made to contribute to his former lord, Sujah Dowlah, a considerable assistance both in men and money towards the Rohilla expedition. If he were to recur to

the written laws of the Indian legislators, he should find himself at a loss, from want of sufficient acquaintance on the subject; but as far as he was informed, he could quote the laws of one of the most celebrated of the monarchs of Hindostan, the emperor Ackbar, who, in his grants to his zemindars, although he gave them great indulgences, and expressly exempted them from the payment of any subsidies beyond their stated rents, yet his arrangement was evidently calculated with a view to securing a military force by the personal service of those very zemindars and their subjects, in case of any national and public necessity. He avowed it to be his firm conviction, that the zemindars of India are bound on all occasions of great emergency to contribute in a proportion suitable to their own ability, and the exigency of the public.

The next question then to be considered, was, whether any particular stipulations had been made in favour of Cheit Sing which ought to exempt him from the general duty incumbent on all the other tributaries to the Indian sovereigns. The method which he should take in pursuing this enquiry, would be by recurring to the original acquisition of the zemindary by Bulwant Sing, the father of Cheit Sing, which was by the appointment of Sujah Dowlah, nabob of Oude, and vizier of the empire. Under this appointment there had been an annual rent reserved to the nabob; but, besides this annual rent, extraordinary aids had been furnished to him as lord paramount on extraordinary occasions. On the death of Bulwant Sing, his son Cheit Sing was, by the mediation of the company, admitted to the succession, with an addition, however, of two lacks of rupees to his annual tribute, and a fine of several lacks paid at the time. Afterwards the sovereignty of Benares was surrendered to the company, who, by such surrender, became possessed of every right which the nabob hitherto enjoyed in the country, and every degree of authority which he possessed over the zemindars. Among those rights and authorities was that of calling in cases of emergency for assistance over and above the amount of his stipulated and regular annual payments, which assistance was either to be in

money or military force, for it was not at present necessary for him to make any distinction between the two, as he could shew before he sat down that the distinction would prove unnecessary to the question. This right had already been exercised and acquiesced in, and was indisputably transferred among the rest to the company. It was contended by the right honourable gentleman,* that, in the several patents or grants by which the zemindary was conveyed to Cheit Sing by the company, and by which he was invested with the several royalties of a mint, and the right of criminal jurisdiction, there was a complete renunciation of every claim upon him in future, for any thing whatsoever, except his stipulated and specified rent. In order to make this appear, the right honourable gentleman had quoted the words of several of the proposals made by the members of the council of Bengal, concerning the investiture and establishment of Cheit Sing in the office of zemindar. The right honourable gentleman had there found, in more than one place, the word *independent*—of which he had made a great use, for the purpose of proving that the rajah, Cheit Sing, was, in fact, completely and totally independent. But this word which he had so used, neither could, nor in justice ought to be applied to the situation into which Cheit Sing had been put by the company. The word *independent* had been used by the governor and council in several different meanings, and the meaning in which it had been used by Mr. Hastings, was one which was never carried into effect. Mr. Hastings had given three different opinions on so many different occasions, in matters relating to the province of Benares. He had, on the death of Sujah Dowlah, proposed to the council to renew the alliance which subsisted between that monarch and the company with Asoph al Dowlah, his successor, or rather had given it as his opinion that the ancient treaty still subsisted in force as to the son, in like manner as it had before subsisted with respect to the father. In this he was over-ruled, and the opinion of an honourable gentleman † now present, and a member of this house, prevailed against him. His opinion was, that the obliga-

* Mr. Fox.

† Mr. Francis.

tion of the treaty with Sujah Dowlah had terminated by his death, and that the company ought not to renew their alliance with the court of Oude, except for a consideration to be made by the new nabob. This consideration being determined by the council to be the sovereignty of Benares, and being agreed upon by the nabob, Mr. Hastings proposed that it would be advisable to resign to the zemindar himself the entire and complete sovereignty, and so render him wholly and absolutely *independent*: that is, to change his situation from that of a zemindar, or tributary, and give him a perfect, unqualified, and uncontrolled authority. In this the opposition of the honourable gentleman* was also successful, and it was determined, on his suggestion, that the rajah Cheit Sing should still be kept in a state of vassalage, or, as he expressed it, of dependence, under the company. What then was the purport of the instrument by which the zemindary was confirmed by the company to Cheit Sing—It was, “that he should hold it as an hereditary possession, paying only a certain stipulated annual sum out of the revenues, for the use of the company;” that is, that the annual and stated payments should never be raised, as had been done by the nabob on his accession after the death of his father, and that no fine should be exacted from his successor, as was the case on his coming into possession. There was, in the whole of the instruments, no renunciation in express terms of that which was too essential and indispensable a right of sovereignty to be either construed away by implication, or defeated by any thing short of the most explicit renunciation, the right of demanding aid in war, or any such great emergency; but, on the contrary, this very right was, in a great measure, recognized by the terms of the grant; for it expressly grants the country to the zemindar, on the condition that if he yields a fit obedience to the authority of the company as his superiors and sovereigns, then he shall hold the territory for the annual sum mentioned in the deed. What was the construction to be put on the words, “obedience to the authority of his sovereign”?

* Mr. Francis.

The right honourable gentleman * had, with an ingenuity which did him less honour in a judicial proceeding than it would do on any other occasion, endeavoured to confound the understandings of gentlemen by a play and cavil of words. He had represented the expression of Mr. Hastings as contradictory and absurd, inasmuch as it was a declaration, "that, provided the zemindar should pay to the council such sums of money as should be demanded from him, over and above his stated annual tribute, then they would demand no money from him whatever." The absurdity of such a proposition was self evident; but not more absurd than a construction which might just as easily be put on the terms of the deed, or patent of confirmation to Cheit Sing, which might as easily be rendered thus: "As long as you continue to yield due obedience to our authority, we promise to exercise no authority over you whatsoever." That the honourable gentleman opposite to him, who had seconded the motion, was not averse to the ideas and practice of exacting from the zemindars and aumils extraordinary aids on extraordinary emergencies, notwithstanding express stipulations for certain regular and definite annual payments, was obvious from his own proposal, as recorded on the journals of the council, in which he recommends to put all the dependencies of Bengal on a footing similar to that of Benares, apportioning a regular, constant, annual tribute to each, with an observation "that extraordinary demands may be supplied by temporary expedients. But that, if such extraordinary supplies were to be added to the established jummar, or annual tribute, then they would become a part of the established revenue, and so be exacted in times of peace and safety, as well as those of war and danger." These words were sufficient to explain to the house what was the real situation of Cheit Sing; and this, as he had no hesitation to declare, was, that he stood insured from any increase of his jummar or annual tribute, yet became liable, according to his ability, to demands for the service of the company, his sovereigns, on any pressing emergency.

* Mr. Fox,

The next object which he should consider was, whether the situation of the affairs of the company in India constituted an emergency sufficient to justify the exercise of that right of sovereignty which Mr. Hastings exercised in making the extraordinary demand on the rajah? To this he should say but few words, because the most determined adversaries of Mr. Hastings seemed industriously to impress the public with an idea of the magnitude of the danger with which the Eastern government was threatened. They all represented that, superadded to the war which broke out with France, there were sufficient grounds for the most alarming apprehensions from the animosities and resentments of the adjacent country powers. On this subject, there was one observation which he could not but make, which he did not know how the honourable gentleman opposite to him could answer in such a manner as to vindicate either his feelings or his diligence on the present occasion.

The second part of the charge was entitled, *Designs of Mr. Hastings to ruin the rajah of Benares*, and it was stated in the charge, that as soon as Mr. Hastings found himself in a majority at the council, by the deaths of General Clavering and Colonel Monson, he suddenly made use of his power to enforce the demand of an extraordinary subsidy from Cheit Sing, in order to furnish himself with the means of wreaking his vengeance on that prince. He desired the house to pause for a moment, and to consider the full force of the insinuation contained in these words. Could there be a more malignant charge brought against a man than that which he had just stated? Was it not of such a nature that all hearing it must necessarily conclude, that it was the intention of the accuser to impress the minds of men with an opinion, that this act of Mr. Hastings was the effect of a wanton and deliberate malice, long bent on an act of cruelty and injustice, to which he gave vent on the very first opportunity? He should not lay any stress on the circumstance of Mr. Hastings having been in possession of a majority in the council from the death of Colonel Monson, which happened long before: all that it would be necessary for him to remind the committee of, as a

complete antidote to every unfavourable impression which the unwarrantable acrimony of the charge might have given rise to, was, that two days before the resolution for exacting the five lacks of rupees from Cheit Sing had been proposed in the council, Mr. Hastings had gotten an account of the breaking out of the French war. To have passed over such a circumstance as this, so striking and so obvious, and to discover a motive so base and diabolical as that which he had imputed to Mr. Hastings, could only be accounted for on principles extremely injurious to the candour and integrity of the honourable gentleman, or else by supposing that the laborious and pertinacious attention which distinguished his conduct in every other part of this proceeding, was, in the present instance, more unfortunately for himself than for Mr. Hastings, somewhat off its guard.

A fourth consideration was, admitting the right of calling for extraordinary aids to meet extraordinary emergencies, and that in which the company stood, to have been such an emergency, each of which he was, for his own part, fully persuaded of,—Whether in that case the sum demanded from Cheit Sing was greater than he could with ease and convenience have paid? He should not take upon himself to say whether the governor and council had formed their calculation of the ability of the rajah on proper information, but from the event it was evident, that the sum demanded from him was greatly within his power to have paid; for, in the castle of Bidgigur was found, besides what possibly had been conveyed away privately, at least twenty-three lacks of rupees in specie, and jewels and other moveables to the value of a crore and a half of rupees, which was a million and a half of money. That the demand of a thousand or even fifteen hundred cavalry was not enormous, nor beyond the power of the rajah to comply with, was evident from the circumstances which took place afterwards on the insurrection in Benares, from whence it plainly appeared that Cheit Sing had a force fully sufficient to enable him to spare the numbers on behalf of his sovereign and benefactors. If it were to be objected, that the only way in which a demand of extraordinary supplies

could in justice be made on the rajah, was in the shape of an aid in men instead of money, (for that the former in every point of view was just and proper, no man could pretend to deny) it then was a sufficient answer to the objection that the first proposal of council related only to a military aid, namely, three battalions of sepoy; and that it was on the suggestion of Cheit Sing's vakeel, that the demand for money had been substituted in the place of men. Thus, he trusted, he had fairly made it out on grounds perfectly just and reasonable, that there was a right in the council of Bengal to make a demand on Cheit Sing for assistance and aid towards the defence of the company's interests in Bengal, threatened as they were with a most dangerous combination of enemies; and also that the aid demanded was by no means extravagant when compared with the well-known ability of Cheit Sing to pay it. He should therefore leave those points as proved and admitted, and come to the other circumstances which constituted the remainder, and, in his opinion, the best founded parts of the charge.

In the first place he perceived himself under a very disagreeable necessity of adopting in some degree his sentiments on the subject of government to the principles of Indian politics. These principles were certainly not conformable to European ideas, but they were in a great measure the only ones on which an European could take upon himself to judge of the transactions and conduct of an Indian governor. They were the principles of arbitrary power and despotism. But though the constitution of our Eastern possessions was arbitrary and despotic, still it was the duty of every administration in that country to conduct itself by the rules of justice and of liberty, as far as it was possible to reconcile them to the established government. He did not care whether the laws of Tamerlane, or of any other Indian emperor had laid down such a doctrine. It was enforced by a higher authority, by the dictates of nature and of common sense. And it was upon this ground that he felt it impossible to acquit Mr. Hastings of the whole of the charge brought against him; for he felt in his conscience that he had pushed the exercise of that

arbitrary discretion, which from the nature of the Eastern government was intrusted to him, to a greater length than he was warranted to do by the necessity of the service: he was firmly persuaded that Mr. Hastings had been influenced through the whole of his government by the warmest zeal for the interest of his employers; but that zeal, however commendable in itself, lost its merit when exerted in a manner repugnant to principles, which ought not to give way to any motives of interest or policy whatsoever. The council of Bengal having made a demand which they had a right to make, and that demand having been contumaciously resisted, they were certainly justifiable in inflicting a punishment on the delinquent party; for, to give the right of demanding without the power of punishing the refusal, would be absurd and nugatory in the extreme. But then it was their duty to apportion the punishment to the degree of guilt. This, he was sorry to say, Mr. Hastings, in his opinion, had not done: but the honourable gentleman* who had taken so active a part in the whole of those proceedings was not himself entirely free from blame, for he had given his countenance to a considerable part of Mr. Hastings' improper conduct; he had admitted the principle that, whether the demand had been just or not, it ought, having been once made, to be rigorously enforced as far as his authority would go; he had, by an acquiescence, encouraged Mr. Hastings to the rash steps which he took in consequence of Cheit Sing's obstinacy, for he had subjoined to the resolution which Mr. Hastings had entered on the books of consultation, to march into the country of Benares, his signature to the following words: "I acquiesce, although I hope there will be no necessity to put the threat into execution." And from his conduct then, and that which he pursued on the present occasion, it afforded some suspicion, that even at the time when he might have exerted himself to prevent many improper steps from having been taken, he sat by, with a secret satisfaction contemplating the errors of Mr. Hastings, as laying the foundation of future persecutions against him.

* Mr. Francis.

The grounds of his opinion, that the conduct of Mr. Hastings, subsequent to the demand of the troops and money from Cheit Sing, was censurable, were, that the fine which he determined to levy was beyond all proportion exorbitant, unjust, and tyrannical; he should therefore, certainly, on the present charge, agree to the motion that had been made, not considering himself as being thereby committed to a final vote of impeachment, but only meaning to be understood, that if upon the whole of the charges, it should be his opinion, that an impeachment ought to be preferred against him, then this act of oppression was such as ought to be made one of the articles of that impeachment, being in his judgment a very high crime and misdemeanour. In fining the rajah 500,000*l.* for a mere delay to pay 50,000*l.* (which fifty he had actually paid) Mr. Hastings had proceeded in an arbitrary, tyrannical manner, and was not guided by any principle of reason and justice. This proceeding destroyed all relation and connection between the degrees of guilt and punishment; it was grinding; it was overbearing: and admitting the supposed guilt of the rajah in delaying to pay an additional tribute demanded of him, the punishment was utterly disproportionate, and shamefully exorbitant. In all this he meant to confine himself expressly to the exorbitancy of the fine, and not to the subsequent revolution of Benares, which was an event that under all the circumstances could not possibly have been avoided: for Cheit Sing having reluctantly obeyed in one instance (the payment of the money) the orders of the council, after making false and contumacious excuses—for certainly his pretence of inability was of that description—and having actually disobeyed the other part of their commands, the furnishing of a certain number of troops, the governor was unquestionably at liberty to impose a fine upon him, and to march into his country in order to enforce it; and the rajah not being acquainted, from any overt act, that the fine intended to be levied was exorbitant, (the only unjust instance of the transaction) his taking up arms in order to escape from an arrest, to which he had subjected himself by his own fault, and exciting an insurrection among his men to massacre the British

forces, and afterwards withdrawing himself, and going into open rebellion, which could not be excused by any consideration of that with which he was not acquainted, the exorbitancy of the fine—all these circumstances considered, his deposition of the rajah was indispensably just and necessary, and did naturally follow from what had preceded it. As to his encouraging the troops to commit ravage and devastation, that could not have been the consequence of the letter to which it was imputed; for, that letter was only calculated for the private perusal of the council, and it was a well-known fact, and sufficiently substantiated by evidence, that he had taken every precaution, by issuing the necessary orders to prevent any avoidable licentiousness of the soldiery, and that the cruelties committed were only by a party of disobedient and mutinous followers of the camp.

With respect to the subsequent parts of the charge, the second and third revolution of Benares, as well as those upon which he had last touched, he should say but a few words, as they had not been much relied upon, except as matter of aggravation, but not as direct charge. On the head of the last-mentioned article, the right honourable gentleman had attempted to point out a contrast between the different parts of Mr. Hastings's conduct in having first deposed Cheit Sing for not paying a certain sum of money, and afterwards deposing Jagher Deo Seo for using rigorous modes of collection in order to enable himself to comply with similar demands. In both cases, he was strictly right in his principles; for one rajah deserved to be punished for not paying what he was able to pay, and what he ought in duty to pay. The other was equally culpable in not making a proper collection of the revenue, but laying it on in a partial and unfair manner.

The sole remaining subject on which he had any thing to say at present, was the restoration of Cheit Sing to his possessions. Whatever ought to be done in that case could not now fall properly under consideration. In the one case by determining to restore him, it would create an unfair prejudice against a man accused, and in the other, by determining to withhold his pos-

sessions, it might possibly have a tendency the contrary way, and carry with it an approbation, which was hereafter to become a subject of criminal enquiry; he should therefore, for the present, beg leave to withhold the communication of his opinion.

The resolution was carried,

Ayes 119

Noes 79

February 5, 1787.

On a motion by Mr. Pitt, that “the House would on that day se’nnight resolve itself into a Committee of the whole House, to consider that part of his Majesty’s speech which related to the commercial treaty concluded with France,” an amendment was moved by Lord George Cavendish, to substitute the words, “that day fortnight,” in order to allow time for procuring a call of the House.

After Mr. Fox had delivered his sentiments in support of the amendment, Mr. Pitt rose,

He said that the right honourable gentleman* was always entitled to very serious attention; but on the present occasion, when he was endeavouring to postpone the discussion of the most important question that could possibly come under the consideration of the house, and which, in its very nature, required every degree of dispatch that could be given to it with safety and decorum, as it was one in which the greatest interests of this country were involved, whether considered in a commercial or a political point of view, whether affecting the individual or the public—when his object was such, it was more than ever incumbent on him to use the most consummate care to comprehend the drift and tendency of his arguments. It was besides a matter of curious observation to mark the motives which could induce the right honourable gentleman, whose general characteristic had not hitherto appeared to be delay or procrastination, to wish to impede the discussion of such a subject as the present. An honourable friend† of his had, however, suggested a much more alarming motive for delaying the discus-

* Mr. Fox.

† Sir Richard Hill.

sion than the right honourable gentleman had been able to discover, and was in so much, not only on the same side of the house, but also on the same side of the question, with the right honourable gentleman, as far as the question related merely to delay. This motive was the precedent which he had stated from the practice of the right honourable gentleman himself; for could any parallel be proved between the present measure and that to which his honourable friend alluded—that rash and inconsiderate measure by which the constitution of this country had been in such imminent danger of being completely overturned and ruined; could the smallest affinity be made out between the commercial treaty with France, and the right honourable gentleman's well-known India bill, he should shudder at the thought of bringing the consideration of the French treaty forward at all, and would most readily acquiesce in every prospect of delay and hesitation which the right honourable gentleman should make, in every proposal of deliberation and caution that he had himself, in the former instance, fruitlessly suggested. On a question so much at variance with the principles by which the right honourable gentleman's own practice had been governed, it was naturally to be expected that he would have exerted all his ingenuity, to avoid the appearance of that inconsistency with which, in his political measures, as well as in his political connections, the public opinion had long since charged him. But the right honourable gentleman's arguments, however logical and pointed they might be, were yet by no means methodical and regular. He should therefore endeavour to arrange them in some sort of order, and give them severally and distinctly such answers as he was able.

The first argument used by the right honourable gentleman, in favour of a call of the house, was, that such a measure was of course, and obviously right and proper, when a subject of such consequence as that now under consideration was to be discussed. To this he should answer, that certainly a full attendance was extremely desirable on such an occasion;—but surely no man would pretend to say, that a call of the house at the present day would give any better promise of a full attendance than what

might *prima facie* be collected from the appearance of the house at that moment, or even if the house were not full, might naturally have been expected from the magnitude of the subject itself, or the length of time which had intervened between the day in which it was first made public, and that in which it would come to be proposed for discussion. These circumstances would in themselves be sufficient to insure a crowded house, as was evident from the numbers then actually present ; whereas it was on occasions where any business of magnitude suddenly and unexpectedly came forward, or where the importance of such business was not of a nature likely to impress itself on the minds of people, that a call was generally resorted to, in the one instance, to inform, and in the other, to rouse the attention of the members. The next argument which the right honourable gentleman had used for a call, was, that the present subject being evidently entitled to a full attendance, there had not been sufficient notice given of the time proposed for the discussion to expect that full attendance if not enforced by a call. In answer to this he observed, that the treaty with France had been made public above four months previous to the meeting of parliament ; that the attention of the kingdom had been very much drawn to it, as it was indeed of a nature which must naturally interest the minds of men in its event, and that its very magnitude was such as entirely to supersede the necessity of a call. Then, as to the want of proper notice having been given of the intention of bringing it on at this period, he should state a few circumstances to the house, to shew that no consideration whatsoever was due to the argument. In the first place, the treaty with France was in itself of such a nature as necessarily demanded a very speedy conclusion ; nor could it with safety or propriety be suffered to remain long in suspense. In the next place, it was the subject to which his Majesty in his speech had given the preference, recommending it first and most pointedly to the attention and care of parliament. But, if those two circumstances were not in themselves sufficient to have taught gentlemen to expect that the business would be speedily brought forward, he should men-

tion a few facts that every gentleman must have in his recollection, by which it would evidently appear that the motion which he had made, was by no means a surprise, but that full and sufficient notice had been given of his intention to propose an early day for its discussion; and that of course the motion now made for a call of the house, could be nothing else but an expedient for delaying the consideration of the treaty, and by no means an attempt to procure that treaty the advantage of being discussed in a fuller house than what might from all circumstances in the ordinary course be fairly expected.

Mr. Pitt now recapitulated all that had passed concerning the treaty in that house since the meeting of parliament, pointing out that it had been his constant practice whenever it was mentioned, to speak of it as a thing necessary to be taken up immediately, nor suffer it to hang a moment longer in doubt than could be avoided. He reminded the house, that a right honourable gentleman * had, on the first day of the session given notice, that he should on Thursday, in the second week of the session, move to enter upon the consideration of a subject (the impeachment of Mr. Hastings) which he had declared to be of equal consequence with the French treaty, and which he believed, though not quite so novel as the other right honourable gentleman had complained that the treaty was, yet in another point of view much more deserving of a call, supposing it to be of equal magnitude, inasmuch as it was not in itself so likely to attract the voluntary attendance of the members;—that another honourable gentleman † who was expected to open the charge on that day had on the Friday following come down to the house, and had desired leave to change the day appointed by his right honourable friend, from the Thursday in the second week to the Monday in the third (the present day,) assigning as his reason, that he had informed several gentlemen in the country that the business would not come on until that day; and the honourable gentleman had, at the same time, to clear himself and his friends from any imputation of a desire to procrastinate (though at present it appeared they were not so anxious to avoid

* Mr. Burke.

† Mr. Sheridan.

a similar imputation) given notice that his right honourable friend * was ready on the Thursday in the same week, to move another of the charges against Mr. Hastings;—that he himself had then risen, and informed the honourable gentleman that he could not consent to his monopolizing two days in the third week of the session, as he purposed to take some day in that week for the consideration of the French treaty. This was ten days ago, and yet, at that time, no gentleman had thought of moving for a call of the house. He had again on Thursday last given notice, that he would on the day following, fix a day for the present motion for going into the consideration of the treaty on Monday next, which was a still later day than that which he had first mentioned: yet it unfortunately happened that one of these notices had unaccountably missed its way to the right honourable gentleman though expressly addressed to an honourable gentleman†, not very likely to conceal the communication from him; and the other, although delivered in his own presence, had as unaccountably been treated with an unusual degree of inattention, or had been forgotten; as, upon Friday last, when he had positively fixed on the present Monday, as the day on which he proposed to make his motion, the right honourable gentleman had declared himself perfectly ignorant of any prior information having ever been conveyed to him on the subject. At neither of those two former notices—that on the Friday of the first, nor on the Thursday of the second week, had any of the gentlemen on the other side thought of moving for a call, although the house was at that time much more thinly attended than it had been since; but on the very next day, (last Friday,) when he again more particularly gave notice of the day he intended to have moved for, (although that day was still more distant than any he had yet mentioned, namely, the Monday in the fourth week of the session) there happening to be a much fuller house than any that had met since the opening of the session, the circumstance operated so forcibly on the mind of the noble lord, that though in thin houses he had never thought of

* Mr. Burke. † Mr. Fox.

it, in that full house he immediately suggested the necessity of a call. But yet, even then he did not move it, contenting himself with barely mentioning it, as a thing that might be desirable. On the present day, however, the house being as full as it would probably be during the whole session, the noble lord had brought himself to do what never occurred to him in thin houses, and what he barely hinted at in a moderately full one,—had unaccountably moved for a call of the house.

On the whole, whether such a measure were necessary or not, it was certain that the conduct of those who attempted to bring it about, was not such as to give any weight to the proposal; but, for his part, he should be perfectly indifferent about it, were it not for the delay which it must necessarily occasion, and his conviction that a call of the house would not prove a means of bringing a single member more to it than already attended. The call had also been enforced under the idea of giving gentlemen an opportunity of consulting their constituents on the subject of the treaty, before they should come to any decisive vote upon it. As to this, he hoped that no gentleman, knowing, as they all must, that such a question would come forward during the session, and being, as every gentleman appeared to be, fully apprized of its consequence, nay, having the very treaty before them—under such circumstances, he hoped, the gentlemen had not come up to parliament without having performed that very necessary part of their duty, the making themselves acquainted with the sentiments of their constituents on a subject in which their interests were so materially concerned. And he called upon all those gentlemen who represented those parts of the kingdom which flourished most in manufactures and commerce, to declare what were the opinions of their constituents on the subject, and what was the state of expectation and general interest which had been excited in those parts by the prospect of the completion of the French treaty. He would even, on this occasion, appeal to a right honourable gentleman, to whom he should not in general wish to refer a question in which he felt himself deeply involved. He would even appeal to the member

for Norwich,* whether he had the authority of his constituents to delay or restrain the execution of the treaty.

The right honourable gentleman had made another effort in support of the delay which was the object of the noble lord's amendment. The late convention entered into between his Majesty and the king of France, subsequent to the conclusion of the treaty, had given him a ground for this part of his conduct. The convention having been concluded, for the purpose of arranging the detail of the general principles established by the treaty, the right honourable gentleman had argued, that time ought to be given to gentlemen, to examine and weigh the several articles of that detail, before they were called upon to form a conclusion as to the principle. He would take upon him to say that no gentleman who had read the convention (and every gentleman had surely had full time to read and consider it since it had been delivered) would venture to assert, that there was a single article contained in it, which could or ought to have any effect on the judgment of the house with respect to the principle of the treaty. The third argument of the right honourable gentleman had a reference to the pending treaty with Portugal; and the right honourable gentleman had contended, that if they were to be in a state of ignorance as to the event of that treaty, it would prove highly impolitic and improper to proceed to a confirmation of the French treaty; whereas if we were to have an account of the fate of that negociation, then they would so far be enabled to go to the consideration of the treaty then before the house. If there was any strength in this argument of the right honourable gentleman, he was willing, he said, to allow him the benefit of it in its fullest extent; and he would freely acknowledge not only that the treaty with Portugal was not yet concluded, but that there was no prospect of its being concluded previous to the day proposed for the French discussion. Therefore, if the argument could at all tend to support the requisition for delay made by the honourable gentleman opposite, they had the full benefit of it, and he

* Mr. Windham.

was willing to make them a present of that concession. At the same time, the concession, he believed, would turn out to be of no great use to them, when it should be found how the argument would apply. The right honourable gentleman had stated, that, in point of revenue, we were likely to become losers by the reduction of the duties on the Portuguese wines, which, if the provisions of the Methuen treaty were to be maintained, must, after the execution of the French treaty, be reduced by one third of their present amount, and had asked whether the increased importation of French wines would be likely to compensate for that defalcation. To this he would answer, that whether in the article of wines or not, he was prepared to contend, when the treaty with France came fairly under discussion, that, even supposing the duties on Portugal wines to be lowered, agreeably to the stipulations contained in our present subscribing treaties with Portugal, (which, as matters at present stood, was by no means certain) even then, whatever falling off the revenue might sustain in that article, still it would be most amply counterbalanced by the various channels of commerce which this treaty would necessarily create or improve.

Thus he had gone through the whole of the right honourable gentleman's arguments as systematically as the vague and incoherent manner in which they were delivered would permit him. In answer to his first argument, that a full attendance was necessary on so very important an occasion, he had shewn, that a call was unnecessary to procure such attendance. To the second, that a farther delay was necessary, he had answered, by proving, that there had been already sufficient time to deliberate, and sufficient notice for preparation. And as to the argument drawn from the pending state of the treaty with Portugal, he had fairly stated how that negociation rested, and had pledged himself to meet the right honourable gentleman on that ground, and on the principles which he had laid down concerning it. Those three were the only heads of argument used by the right honourable gentleman, which could, in any degree, or with any colour, apply

to the point in debate; and he should be satisfied at the refutation which he had given them, were it not for certain additions and embellishments with which the right honourable gentleman had interspersed his speech, partly in the shape of rebukes, and partly of admonitions to him; and to these he must give some answer.

The right honourable gentleman had reflected on him for his precipitation and rashness in pushing forward his measures without due deliberation, and had admonished him, no doubt with great sincerity and benevolence, to avoid bringing this matter to so speedy a determination for fear of consequences, which, though he had sufficient vigour of imagination to foresee, he yet had not discrimination or accuracy enough to enumerate and describe. But what did the right honourable gentleman mean to consider as precipitation and rashness? Did he hold it to be precipitate and rash to proceed, after more than four months public notoriety, to debate and determine on a measure, by which the attention of the whole nation was engaged, and in which the wishes and interests of those concerned were most materially involved? Did he call this precipitation and rashness? He remembered the time when the right honourable gentleman did not judge in the same way in which it would now appear he did. When he had the misfortune of sitting in the seat now occupied by the right honourable gentleman, he had an opportunity of making his observations on his disposition, and the principles by which he was governed, on questions which required the most consummate deliberation. He remembered the right honourable gentleman to have introduced on the third day of the session, a measure which, from its novelty, (a great cause of censure at present with the right honourable gentleman) from its magnitude, from its obvious effects, and from the terror and alarm with which it filled every thinking mind in the kingdom, seemed eminently entitled to a most deliberate discussion, and a most minute investigation—a measure which, as if conscious of its own malignity, had crept under darkness, and shrunk even from a whisper, and, until that day, had never been heard of in pub-

lic; and yet, to this measure the right honourable gentleman, in the plenitude of his power, and the ardour of his mind, refused to allow that delay, which, even on the most trivial and ordinary occasions, the forms of the house had rendered necessary!—A measure which violated every principle of the constitution, overturning the established maxims of government, unhinging the functions of the executive authority, setting up a new and most destructive power in the state, and trampling, without any concern or reflection, on the private property of individuals!—A measure, in short, which had stigmatized its abettors with universal odium, and would hand them down to posterity as objects of everlasting reproach! Such was the measure, which, without examination, without even a pause or almost a day's consideration, had been thrust down the throats of that house by the right honourable gentleman. At that time he endeavoured by argument, by persuasion, by entreaty and deprecation, to restrain the right honourable gentleman from the ungovernable rashness by which he seemed actuated, but it had no effect. The right honourable gentleman, however, had appeared to have most strangely altered his principles, and was ready, in his present situation, to give, on all occasions, even where the spirit of it could not apply, that advice which, in all cases of the most obvious necessity, he had himself haughtily and superciliously rejected. For his own part, neither had the right honourable gentleman's arguments been able to convince him—his rebukes to intimidate—nor his admonitions to alarm him; but he should, with the consent of the house, go into the consideration of the treaty on the ensuing Monday. He should not hesitate to aver, that, upon such an investigation, he could proceed without one anxious pressure upon his mind; more than consoling himself with the reflection that he had acceded to the demand of all proper time for deliberation,—that he had come forward with every requisite intelligence, and pursued every measure, in his idea, likely to render the treaty at once permanent and serviceable to this country.

Mr. Pitt in explanation afterwards remarked,

That having so many occasions to obtrude himself on the attention, and claim the indulgence of the house, he should not, in the present stage of the debate, detain them for a moment, if he had not been called upon expressly to answer a question which was pressed upon him, relative to our negotiations with Portugal. He assured the house, that so far from a final and peremptory refusal having been given to our negociator at that court, a commission was now actually made out, giving the British ambassador powers and instructions to that purpose. As to the abusive torrent of invective which had been so illiberally thrown out by an honourable gentleman,* he would not condescend to answer it, nor would he even now have deigned to advert to it, if he had not heard the flimsy justification on which the right honourable gentleman that moment excused himself. The manner in which it was delivered, there were few who wished to recollect; and the matter was the more unjustifiable, as whatever personality appeared before in the debate, did not by any means take its rise from him. In abuse and personality to contend with such an opponent, was very far beyond his powers, and much more beyond his wishes. There were some occasions, indeed, when he found himself warm in debate; and for the most natural of all reasons—having so many topics of discussion in which he was materially interested, and peculiarly agitated; but such intemperate, gross, abusive, and outrageous language as was this day made use of, surpassed, beyond comparison, the most violent and injurious expression which ever escaped the lips even of that right honourable gentleman, and consequently of any other person who ever spoke within those walls. For his own part he avoided, as studiously as possible, even in the most hasty moments, the introduction of personality. Whenever he met a man whose conduct had produced an unfortunate change of character, and whose ill-temper and spleen were proportioned to the disappointments experienced, and the

* Mr. Burke;

odium which surrounded him, endeavouring by abuse and malevolence to reduce other characters on a level with the wretchedness of his own—though such a situation might lay claim to his compassion, that sentiment must naturally be blended with a portion of disgust.

Mr. Burke, in his reply to these severe animadversions, expressed a very high sense of obligation for the *liberality* which he experienced from the minister. The contempt, indeed, which he made him a present of, did not claim so great a share of gratitude, as it was an article in which the right honourable gentleman so copiously abounded; but as the stock of his compassion was undoubtedly but small, any donation whatever from a fund so trifling, and of which there was so little to spare, as it had the greater merit, should be the more thankfully received.

The original motion was carried :

Ayes 213

Noes 89

February 12, 1787.

THE House, pursuant to the order of the day, resolved itself into a Committee of the whole House, to consider of so much of his Majesty's speech as related to the treaty of commerce concluded with France.

MR. PITT then rose :

He trusted that when the house considered the magnitude of the subject, they would not only forgive him for trespassing upon their patience with an extended investigation, but would encourage him in his attempts to throw all necessary lights upon its nature, and its possible effects. Convinced that he could not enter into details without employing much time, he should on this account, avoid needlessly prolonging the hours of debate, by the introduction of any extraneous matter whatsoever. If the treaty should be found to comprehend principles hostile to the received notions and doctrines of British commerce, and that thereby a general spirit of objection and discontent had spread abroad over the country, he was assured that it would little avail him to stand up in that committee, and argue for the acceptance of a negotiation, which was generally offensive. The

committee would not be seduced, by any thing which he might be able to advance, from the exercise of their clear and independent judgments; and certainly they would not be bound in any degree to the confirmation of this treaty, unless, after the most deliberate and solemn discussion, they should perceive it supported by the most rational principles, and by the most incontrovertible policy; and so finding it, declare their sense of it, by adopting the means necessary for carrying it into effect.

On this occasion, he should not hesitate again earnestly to contend, that the treaty, in its commercial aspect, had been between four and five months before the public, and it was on that ground that he had confidence in going into the committee, and commencing its discussion. For if, after remaining between four and five months in the hands of every manufacturer and merchant in the kingdom, after being freely discussed in various publications, it should turn out that no one complaint had been heard; that no great manufacturing body of men had taken the alarm; and that nothing whatever had happened to prevent the discussion, save the petition presented upon that day, praying for time, from a few manufacturers collected in a certain chamber of commerce, he should certainly think himself justified in calling the attention of the committee to the discussion. If even that very chamber who thus presented the petition, did not at the same time state any reasons against the treaty, but leaned itself simply on the vague and unsatisfactory ground, that after four or five months they had not had time, he was sensible that gentlemen would not think it a substantial ground for delay; after the expiration of such a period of time, it appeared that all upon which they had determined was to entertain doubts, and of course, avoid bringing forward an opinion upon the subject. But another transaction had been mentioned and coupled with this, he must say, in a very singular manner—he meant the Irish propositions. Did the honourable gentleman* mean to insinuate that there was any analogy between this treaty and those pro-

* Mr. Sheridan.

positions? Surely he did not intend to conclude from that experience, that the manufacturers were a body of men slow to apprehend their own danger, or to communicate their apprehensions to parliament; or did the honourable gentleman wish to keep the resemblance in another way? Those propositions, after being canvassed, discussed, and debated, were at length, on the most solemn deliberation, and he thought with the most perfect wisdom, approved by the parliament of Great Britain, as a set of resolutions, salutary and political, for the basis of an intercourse. But those propositions, so evidently opposed by the manufacturers here, had in the end been rejected by another kingdom as injurious and inimical to her interests. Was this the part of the precedent which the honourable gentleman meant to select? But, in truth, there was no similarity. The manufacturers, who were in general not a little watchful of their interests, and he rejoiced that they were vigilant, had taken no alarm. The woollen trade, so properly dear to this country, had manifested no species of apprehension. The manufacturers of cambrics, of glass, the distillery, and other members and branches of our domestic trade, though, in fact, particularly affected by the treaty, had made no complaint, much less had they received any notices from the manufacturers, from the hardware, the pottery, and other branches, of any objection.

If after four or five months nothing like an objection had been heard; and if at the same time gentlemen were sensible, that in many parts of the country, many descriptions of men were now eagerly looking forward for the completion of the business, forming exclusive speculations on the foot of it, and all waiting in readiness and anxiety to avail themselves of the benefits, and with themselves greatly to benefit their country, he begged of gentlemen not to think that they rashly entered into the consideration of the subject. Under these circumstances, therefore, he felt himself justified in declaring, that a reference to the case of the Irish propositions, made more for his arguments, and against his opponents, than was perhaps suspected. While the propositions were agitating, and they were not surely more inju-

rious than gentlemen would represent this treaty to be, the manufacturers of the kingdom came forward to parliament; and at a time when they experienced every attention and indulgence from the house, exhibited themselves the most incontrovertible, and indeed, laudable proof, that, while they fancied themselves endangered, or saw their interests at stake, they possessed the most unremitting vigilance in watching over their concerns, and at least a sufficient degree of firmness in maintaining their objections. There was not a body which thought itself concerned but instantly took alarm, and joined in the general remonstrances. Was it not fair then to conclude, that if any such apprehensions at present existed, instead of supineness and negligence, they would apply to parliament again with redoubled earnestness? but, so far were the public from entertaining any dislike, or even doubts, concerning the merits of this treaty, that from the very best information, he could assert, in the presence of many of the members from great commercial towns, that in most parts of the country they looked with sanguine wishes for the speedy ratification of it. Great and various were the objects of this treaty, but the resolutions which he should have the honour to propose that evening, would lie in a narrow compass, and be easily embraced. It was not his intention to draw the committee to any general resolution which should involve the measures necessary to be taken in future, nor need gentlemen be alarmed by the groundless idea of being committed by one question to all the important details necessary to the full establishment of the system. Several observations had been made respecting the navigation laws and maritime regulations, upon which, as they did not come within the scope of his motion to the committee, and more properly belonged to the prerogative and the executive government, he would forbear offering any remarks. He meant only to submit to them certain leading resolutions, tending merely to the commercial establishment, and they were founded on the 6th and 11th articles of the treaty. The result of the resolutions was precisely this:

1. That the committee should agree, that all articles not enumerated and specified in the tariff should be importable into this country, on terms as favourable as those of the most countenanced nation, excepting always the power of preferring Portugal, under the provisions of the Methuen treaty.

2. That if any future treaty should be made with any other foreign power, in any articles either mentioned or not mentioned in the present treaty, France shall be put on the same, or on as favourable terms as that power. And

3. That all the articles enumerated and specified in the tariff shall be admitted into this country on the duties, and with the stipulations stated in the sixth article.

He thus confined himself to the commercial part of the treaty; nor was even all, which belonged to that part, comprehended in the scope of these resolutions. It would be necessary for the committee to take into their consideration the relative state of the two kingdoms. On the first blush of the matter, he believed he might venture to assert it, as a fact generally admitted, that France had the advantage in the gift of soil and climate, and in the amount of her natural produce, that, on the contrary, Great Britain was, on her part, as confessedly superior in her manufactures and artificial productions. Undoubtedly, in point of natural produce, France had greatly the advantage in this treaty. Her wines, brandies, oils, and vinegars, particularly the two former articles, were matters of such important value in her produce, as greatly and completely to destroy all idea of reciprocity as to natural produce—we perhaps having nothing of that kind to put in competition, but simply the article of beer. But, on the contrary, was it not a fact as demonstrably clear, that Britain, in its turn, possessed some manufactures exclusively her own, and that in others she had so completely the advantage of her neighbour, as to put competition to defiance? This then was the relative condition, and this the precise ground, on which it was imagined that a valuable correspondence and connection between the two might be established. Having each its own and distinct staple—having each that which the other wanted; and

not clashing in the great and leading lines of their respective riches, they were like two great traders in different branches, they might enter into a traffic which would prove mutually beneficial to the n. Granting that a large quantity of their natural produce would be brought into this country, would any man say, that we should not send more cottons by the direct course now settled, than by the circuitous passages formerly used—more of our woollens, than while restricted in their importation to particular ports, and burthened under heavy duties? Would not more of our earthen ware, and other articles, which, under all the disadvantages that they formerly suffered, still, from their intrinsic superiority, force their way regularly into France, now be sent thither? and would not the aggregate of our manufactures be greatly and eminently benefited in going to this market loaded only with duties from twelve to ten, and in one instance with only five per cent.? If the advantages in this respect were not so palpable and apparent as to strike and satisfy every mind interested in the business, would not the house have had very different petitions on their table than that presented this day? The fact was apparent. The article (sadlery) charged the most highly in the tariff, gave no sort of alarm. The traders in this article, though charged with a duty of fifteen per cent. knew their superiority so well, that they cheerfully embraced the condition, and conceived that the liberty would be highly advantageous to them. A market of so many millions of people—a market so near and prompt—a market of expeditious and certain return—of necessary and extensive consumption, thus added to the manufactures and commerce of Britain, was an object which we ought to look up to with eager and satisfied ambition. To procure this, we certainly ought not to scruple to give liberal conditions. We ought not to hesitate, because this which must be so greatly advantageous to us must also have its benefit for them. It was a great boon procured on easy terms, and as such we ought to view it. It was not merely a consoling, but an exhilarating speculation to the mind of an Englishman, that, after the empire had been engaged in a competition the most arduous and immi-

ment of any that ever threatened a nation—after struggling for its existence, still it maintained its rank and efficacy so firmly, that France, finding they could not shake her, now opened its arms, and offered a beneficial connection with her on easy, liberal, and advantageous terms.

We had agreed by this treaty to take from France, on small duties, the luxuries of her soil, which, however, the refinements of ourselves had converted into necessities. The wines of France were already so much in the possession of our markets, that, with all the high duties paid by us, they found their way to our tables. Was it then a serious injury to admit these luxuries on easier terms? The admission of them would not supplant the wines of Portugal, nor of Spain, but would supplant only an useless and pernicious manufacture in this country. He stated the enormous increase of the import of French wines lately, and instanced the months of July and August, the two most unlikely months in the year, to shew the increase of this trade. The committee would not then perceive any great evil in admitting this article on easy terms. The next was brandy, and here it would be inquired whether the diminution of duty was an eligible measure. He believed they would also agree with him on this article, when they viewed it with regard to smuggling. The reduction of the duties would have a material effect on the contraband in this article: it was certain that the legal importation bore no proportion to the quantity clandestinely imported; for the legal importation of brandy was no more than 600,000 gallons, and the supposed amount of the smuggled, at the most rational and best-founded estimate, was between three and four hundred thousand gallons. Seeing then that this article had taken such complete possession of the taste of the nation, it might be right to procure to the state a greater advantage from the article than heretofore, and to crush the contraband by legalizing the market.

The oil and vinegar of France were comparatively small objects, but, like the former, they were luxuries which had taken the shape of necessities, and which we could suffer nothing from ac-

cepting on easy terms. These were the natural produce of France to be admitted under this treaty. Their next enquiry should be to see if France had any manufactures peculiar to herself, or in which she so greatly excelled as to give us alarm on account of the treaty, viewing it in that aspect. Cambric was the first which stared him in the face, but which, when he looked around him, and observed the general countenance of the committee, he could hardly think it necessary to detain them a moment upon. The fact was, it was an article in which our competition with France had ceased, and there was no injury in granting an easy importation to that which we would have at any rate. In no other article was there any thing very formidable in the rivalry of France. Glass would not be imported to any amount. In particular kinds of lace, indeed, they might have the advantage, but none which they would not enjoy independent of the treaty; and the clamours about millinery were vague and unmeaning, when, in addition to all these benefits, we included the richness of the country with which we were to trade: with its superior population of twenty millions to eight, and of course a proportionate consumption, together with its vicinity to us, and the advantages of quick and regular returns, who could hesitate for a moment to applaud the system, and look forward with ardour and impatience to its speedy ratification? The possession of so extensive and safe a market must improve our commerce, while the duties transferred from the hands of smugglers to their proper channel would benefit our revenue—the two sources of British opulence and British power.

Viewing the relative circumstances of the two countries then in this way, he saw no objection to the principle of the exchange of their respective commodities. He saw no objection to this, because he perceived and felt that our superiority in the tariff was manifest. The excellence of our manufactures was unrivalled, and in the operation must give the balance to England. But it was said, that the manufacturers dreaded the continuance of this superiority. They were alarmed at the idea of a competition with Ireland, and consequently they must be more under

apprehensions at the idea of a rivalry with France. He always did think, and he must still continue to think, that the opinions of the manufacturers on this point were erroneous. They raised the clamour in respect to Ireland chiefly, he imagined, because they perceived no certain and positive advantage by the intercourse to counterbalance this precarious and uncertain evil. In this instance, their consent to the treaty did not proceed from a blind acquiescence, for they never would be blind to their interest; but now that they saw so certain and so valuable an advantage to be reaped, the benefits being no longer doubtful, they were willing to hazard the probability of the injury.

Some gentlemen thought proper to contend, that no beneficial treaty could be formed between this country and France, because no such treaty had ever been formed, and because, on the contrary, commercial intercourses with her had always been injurious to England. This reasoning was completely fallacious, though it sounded largely. For, in the first place, we had not, during a very long series of years, experienced any commercial connection with France, and could not therefore form a rational estimate of its merits; and secondly, though it might be true that a commercial intercourse founded on the treaty of Utrecht would have been injurious, it did not follow that this would prove the same; for at that time the manufactures, in which we now excelled, had hardly existence, but were on the side of France instead of being against her. The tariff did not then, as now, comprehend all the articles in which we comparatively excelled, but in addition to the produce of France, which at all periods must be the same, she had the balance of manufactures also in her favour. At that period also the prejudices of our manufacturers against France were in their rage, and corresponded with the party violence of the day in the reprobation of the measure; but so far was the parliament from entertaining the opinion of no treaty being otherwise than detrimental, which could be made with France, that they went up with an address to her Majesty, praying her to renew commercial negotiations with the court of France. It was not correctly stated, neither

that we had invariably considered it as our policy to resist all connection with France. She had been more jealous of us than we of her—Prohibitions began on the part of France, and we only retaliated in our own defence. These parts of his subject he felt it difficult to drop, without again adverting to the effect of this treaty on our revenue, which would almost exceed credibility, though it would cause an average reduction of 50%. per cent. in every article in our book of rates; on French wines the reduction would be 10,000%. per annum; on Portugal wines, 170,000%. should the Methuen treaty be continued; and, on brandy, a reduction of 20,000%. The surrender of revenue for great commercial purposes was a policy by no means unknown in the history of Great Britain, but here we enjoyed the extraordinary advantage of having them returned to us in a three-fold rate, by extending and legalizing the importation of the articles. When it was considered that the increase must exceed the concession which we made, it would no longer be an argument that we cannot afford this reduction. Increase by means of reduction, he was obliged to confess, appeared once a paradox, but experience had now convinced us that it was more than practicable.

The simple question for the committee to consider, was, Whether, if the situation of the two countries was changed in its relative aspect—if it was true, that at the treaty of Utrecht we had but little to send to France, and that we had now much to send them—that our manufactures were so confessedly superior as to dread no competition, and greatly to counterbalance the natural produce of France—we ought not to enter into the treaty; or whether there was some preposterous and inscrutable, as well as fixed and eternal something between the two countries which must prevent them from ever forming any connection, or cherishing any species of amity? Having decided on this point, the next business of the committee was to see how far this treaty would affect their commercial treaties with other powers. This naturally led him to Portugal; and he must positively affirm, that there was nothing which prevented them

from complying fully with the conditions of the Methuen treaty, if the British legislature should find it right, by the conduct of Portugal, to maintain the full force of that treaty. By enlarging their market for wine, they neither infringed on the markets of Portugal nor of Spain. It was not pretended even that the treaty could affect their connection with any other powers.

He contended, that it was not more necessary to view the effects of the treaty in its commercial operation, than as it might have an influence on the revenue. There would undoubtedly be a very considerable reduction of duties. It was a question, however, whether this reduction would be attended with a proportionate loss to the revenue. On the subject of wines, it was certain that this reduction would not so operate; for if the Methuen treaty was to be preserved, and he certainly thought that nothing but the conduct of Portugal could make us harbour the idea of putting an end to it, there must be a defalcation from the subsisting duties on wine to the amount of 160 or 170,000*l.* a year. On brandy there must also be a loss, though a very small one, considering the probable increase of the legal importation—but there might be a diminution of the revenue to the amount of 20,000*l.* Taking this evil at the worst, a surrender of revenue for great commercial purposes was not contradictory to sound policy, nor to established practice. It was happy for the nation that this defalcation would make no difference, because it did not interfere with the plan of applying the surplus of the revenue to the payment of the debt.

Previous to an examination of the treaty in its political aspect, he begged leave to trespass upon the patience of the house, whilst he adverted to the report made to the general chamber of manufacturers—a report, which would now form a part of his speech; but, however, he should be sorry and ashamed were the committee to mistake it as being actually a part of his speech. The house would, therefore, please to recollect, that this chamber of manufacturers had asked, “What laws must be repealed to make room for the French treaty?” They needed not to suspend their opinions simply on this ground; they might have left the task of discovering these laws to parliament, unless they

meant to take from them the trouble of legislation. The enumeration which they had made was singular. They had found out that the aliens duty must be repealed. In confirmation of this, they had thought proper to observe, that besides the laws restraining exportation, there are many others which, in favour of our own manufactures, prohibit the importation of foreign goods, as the 4th Edward 4th, chap. 1. by which no cloths wrought beyond sea, shall be brought into England, and set to sale. That the 3d Edward 4th, chap. 3d and 4th: The 1st of Richard 3d, chap. 12: The 7th Elizabeth, chap. 7: The 13th and 14th Charles 2d, chap. 13, contain a variety of prohibitions on the importation of a great number of articles in the woollen, iron, copper, and glass manufactures: every one of which laws must necessarily be repealed. And that it has also been proved by a law, 1st of Richard 3d, chap. 9th, and 32d Henry 8th, chap. 15, "That no alien shall sell by *retail*, nor take any lease of a house or shop to trade in," which must by this treaty also be repealed, as the permission to sell by *retail* is not (as was in the treaty of Utrecht) excepted. And they add, that it may be proper to remark, that any relaxation of the laws, to prevent the clandestine landing of goods, will have a worse effect upon our manufacturers, than even a direct importation upon certain duties; and that by the free approach allowed to French vessels upon the coast; and the time given by the treaty to make entries, and to correct them when made, an alteration of the custom-house laws, (made as well for the protection of fair trade, as the collection of the revenue) must take place, from which they apprehend great mischiefs may ensue.

Mr. Pitt here remarked, that he believed a well-founded opinion prevailed in the learned profession, that the statutes of Richard III. and Henry VIII. imposing that odious duty, were in fact no longer in existence. If this were not so, he was sure at least that the gentlemen on the other side of the house, whose liberal principles he would always acknowledge, would not become advocates for the continuance of those odious penal statutes. In this enumeration also they talked of a vast number of

articles which would be clandestinely imported and exported—of the encouragement to smuggling by the re-approach to our shores although the re-approach was pointedly confined to ships driven by stress of weather, and the danger of alteration of entries—and that by taking off the old prohibitions, their wool, their fuller's earth, nay, their tools, utensils, and secrets, would be transmitted to the rival. He professed he could not divine the part of the treaty where this committee of manufacturers had discovered these dangers. He conceived that they were empowered to preserve all the prohibitions which they might think it wise to continue. He knew not of any possibility of sending the wool, the fuller's earth, or the tools of the manufacturers out of the kingdom. He went through the whole report of the committee, commenting on each passage, and opposing the ideas of the whole. That a set of manufacturers should neglect to consider the application of the treaty to themselves, while they wandered into the paths of legislation and government, did not look like that apprehension for their real interests which their terrors betrayed at the time of the Irish propositions. They indeed expressed their fears, should the tools and manufacturers of this country be imported to France; but upon that subject they may be quite at their ease, for there was not a word in the treaty to favour such a construction.

Considering the treaty in its political view, he should not hesitate to contend against the too-frequently advanced doctrine, that France was, and must be, the unalterable enemy of Britain. His mind revolted from this position as monstrous and impossible. To suppose that any nation could be unalterably the enemy of another, was weak and childish. It had neither its foundation in the experience of nations, nor in the history of man. It was a libel on the constitution of political societies, and supposed the existence of diabolical malice in the original frame of man. But these absurd tenets were taken up and propagated; nay, it was carried farther; it was said, that, by this treaty, the British nation was about blindly to throw itself into the arms of this constant and uniform foe. Men reasoned as if this treaty as not only to extinguish all jealousy from our bosoms, but

also completely to annihilate our means of defence ; as if by the treaty we gave up so much of our army, so much of our marine ; as if our commerce was to be abridged, our navigation to be lessened, our colonies to be cut off or to be rendered defenceless, and as if all the functions of the state were to be sunk in apathy. What ground was there for this train of reasoning ? Did the treaty suppose that the interval of peace between the two countries would be so totally unemployed by us as to disable us from meeting France in the moment of war with our accustomed strength ? Did it not much rather, by opening new sources of wealth, speak this forcible language—that the interval of peace, as it would enrich the nation, would also prove the means of enabling her to combat her enemy with more effect when the day of hostility should come ? It did more than this ; by promoting habits of friendly intercourse, and of mutual benefit, while it invigorated the resources of Britain, it made it less likely that she should have occasion to call forth those resources. It certainly had at least the happy tendency to make the two nations enter into more intimate communion with one another, to enter into the same views even of taste and manners ; and while they were mutually benefited by the connection, and endeared to one another by the result of the common benefits, it gave a better chance for the preservation of harmony between them, while, so far from weakening, it strengthened their sinews for war. That we should not be taken unprepared for war was a matter totally distinct from treaty. It depended in no degree on that circumstance, but simply and totally on the watchfulness and ability of the administration for the time being. He had heard of the invariable character of the French nation, and of the French cabinet ; her restless ambition and her incessant enmity and designs against Britain ; and he noticed the particular instance of her interference in our late disputes, and of the result of her attack at that time. That France had, in that instant of our distress, interfered to crush us, was a truth over which he did not desire to throw even the slightest veil. Having premised that the provisions of the treaty would neither delude us

into security, nor accomplish our reduction; that, on the contrary, it would strengthen our hands, and, whilst it did not diminish our means, would throw the prospect, and the necessity of war, at a very great distance, friendly assurances, he added, were not always to be relied on; but, although he thought France the aggressor in most of our former wars, yet, her assurances and frankness during the present negociation, were such as, in his opinion, might be confided in. What might be the projects which wild ambition might one day dictate, was beyond his penetration; but, at present, the court of France was governed by maxims too prudent and political, not to consult its own safety and happiness beyond the ministerial aims of impracticable conquest. Oppressed as this nation was during the last war, by the most formidable combination for its destruction, yet had France very little to boast at the end of the contest, which should induce her again to enter deliberately into hostilities against this country. In spite of our misfortunes, our resistance must be admired, and in our defeats we gave proofs of our greatness and almost inexhaustible resources; which, perhaps, success would never shew us—

Duris ut ilex tonsa bipennibus,

Nigræ feraci frondis in Algido;

Per damna, per cædes, ab ipso

Ducit opes animumque ferro.

Indeed, whilst he recollected the whole of that dreadful controversy, he could deduce arguments from it to reconcile the present conduct of France with more equitable and more candid principles of policy than gentlemen seemed willing to attribute to our rival. When France perceived that, in that dreadful contest, when with the enormous combination of power against us it might be truly said that we were struggling for our existence, we not only saved our honour, but manifested the solid, and, he might also be tempted to say, the inexhaustible resources of the land; reflecting that, though she had gained her object in dismembering our empire, she had done it at an expense which had

sunk herself in extreme embarrassment; and reflecting also, that such a combination of hostile power against us, without a single friend in Europe on our side, can never be imagined again to exist; may I not (exclaimed Mr. Pitt) be led to cherish the idea, that, seeing the durable and steady character of our strength, and the inefficacy as well as the ruin of hostility, France would eagerly wish to try the benefits of an amicable connection with us? It was a singular line of argument which he had heard, and which he saw was also propagated out of doors, that the treaty would prove objectionable, if it should be found that, though advantageous to ourselves, it would be equally so to them. It was ridiculous to imagine that the French would consent to yield advantages without an idea of return: the treaty would be of benefit to them; but he did not hesitate to pronounce his firm opinion, even in the eyes of France, and pending the business, that though advantageous to her, it would be more so to us. The proof of this assertion was short and indubitable. She gained for her wines and other produce a great and opulent market; we did the same, and to a much greater degree. She procured a market of eight millions of people, we a market of twenty-four millions. France gained this market for her produce, which employed in preparation but few hands, gave little encouragement to its navigation, and produced but little to the state. We gained this market for our manufactures, which employed many hundreds of thousands, and which, in collecting the materials from every corner of the world, advanced our maritime strength, and which, in all its combinations, and in every article and stage of its progress, contributed largely to the state. France could not gain the accession of 100,000*l.* to her revenue by the treaty; but England must necessarily gain a million. This could easily be demonstrated.—The high price of labour in England arose chiefly from the excise, and three-fifths of the price of labour were said to come into the exchequer. The produce of France, on the contrary, was low in the staple, and less productive to the state in the process. Even the reduced duties were so proportionably high, that France could not send to us

500,000*l.* of brandies but we must gain cent. per cent. by the article. In this view, then, though France might gain, we must be, comparatively, so much more benefited, that we ought not to scruple to give her the advantages: and surely ought not to fear that this very disproportionate gain could be injurious to us in case of a future contest. It was in the nature and essence of an agreement between a manufacturing country and a country blessed with peculiar productions, that the advantages must terminate in favour of the former; but it was particularly disposed and fitted for both the connections. Thus France was, by the peculiar dispensation of Providence, gifted, perhaps, more than any other country upon earth, with what made life desirable, in point of soil, climate, and natural productions. It had the most fertile vineyards, and the richest harvests; the greatest luxuries of man were produced in it with little cost, and with moderate labour. Britain was not thus blest by nature; but, on the contrary, it possessed, through the happy freedom of its constitution, and the equal security of its laws, an energy in its enterprise, and a stability in its exertions, which had gradually raised it to a state of commercial grandeur; and not being so bountifully gifted by Heaven, it had recourse to labour and art, by which it had acquired the ability of supplying its neighbour with all the necessary embellishments of life in exchange for her natural luxuries. Thus standing with regard to each other, a friendly connection seemed to be pointed out between them, instead of the state of unalterable enmity, which was falsely said to be their true political feeling towards one another.

In conclusion, he remarked, that, with respect to political relation, this treaty at least, if it afforded us no benefits, brought us no disadvantages. It quieted no well-founded jealousy; it slackened no necessary exertion; it retarded no provident supply; but simply tended, while it increased our ability for war, to postpone the period of its approach. But on this day he had only to draw the attention of the house to objects merely commercial, and he must again say, that he by no means wished to bind them by any resolution this night, to any general approba-

tion of the measure. He should sit down after voting his first resolution; yet he begged to be understood that he meant to move the others which he had mentioned.

Mr. Pitt now moved, "That in case either of the two high contracting parties shall think proper to establish prohibitions, or to augment the import duties upon any goods or merchandise of the growth or manufacture of the other, which are not specified in the tariff, such prohibitions or augmentations shall be general, and shall comprehend the like goods and merchandises of the other most favoured European nations, as well as those of either state: and in case either of the two contracting parties shall revoke the prohibitions, or diminish the duties, in favour of any other European nation, upon any goods or merchandise of its growth or manufacture, whether on importation or exportation, such revocations or diminutions shall be extended to the subjects of the other party, on condition that the latter shall grant to the subjects of the former the importation and exportation of the like goods and merchandises under the same duties; the cases reserved in the seventh article of the present treaty always excepted. That all articles of manufacture and commerce, not enumerated in the tariff, be admitted from France, on paying the same duties as the same articles pay on importation from the most favoured nation."

The committee divided on Mr. Fox's motion, "That the chairman do leave the chair, report progress, and ask leave to sit again,"

Ayes 118

Noes 252

and the main question was then put and carried.

May 9, 1787.

THE House having proceeded to the order of the day for the further consideration of the report of the secret committee, appointed to draw up articles of impeachment against Warren Hastings, Esq. it was moved, "that this report be now read a second time:—"

Upon which motion an amendment was proposed by Mr. Alderman Wilkes, "that the report be read a second time this day three months."

MR. PITT said that he had deferred giving his sentiments on the question so long, because he found many gentlemen who were averse to the prosecution, had hitherto reserved themselves on the various stages through which the business had already passed, and had taken the present opportunity of delivering their opinions at large upon the whole of the subject, and had then for the first time entered into the defence of Mr. Hastings. As this seemed to be the case, he thought it was but justice to those gentlemen, to Mr. Hastings, and to the cause, to hear what they had to say without interrupting them, or anticipating their general argument in favour of Mr. Hastings, by a particular discussion of the question immediately before the house. Those gentlemen had not taken up the question either as to the form of the articles, or the mode of proceeding, but had confined themselves solely to the broad consideration, whether Mr. Hastings was or was not guilty of crimes sufficiently great and glaring to render him deserving of punishment; and this discussion had been handled in a variety of ways by the several gentlemen that had undertaken it, and all of them had gone the length of arguing that there should be a complete and final conclusion to the whole proceeding—an opinion that he was ready to declare his own perfect and entire dissent from; for he felt himself totally at a loss to conceive how it could be reconciled to the honour, the consistence, or the justice of that house to stop short of sending up the impeachment to that place, where alone it ought to undergo its ultimate discussion.

The noble lord * who opened the debate, and the honourable magistrate † who followed him, had confined themselves wholly to a collateral question, and not one immediately connected with that before the house, to the merits of Mr. Hastings, which they pleaded as a *set off* against his offences. This was a ground which he expected and hoped would have been abandoned, after what had already passed upon that subject, both from Mr. Hastings himself, who had disclaimed any such plea, and from many of the gentlemen who had delivered their opinions in the

* Lord Hood.

† Alderman Wilkes.

debates on the several charges. For his own part, such was his opinion of many parts of the charges brought against Mr. Hastings, of their importance and criminality, that he could not conceive, if they were well founded, how the highest and the greatest merits which had ever been alleged in favour of Mr. Hastings, could be set in opposition to them as a plea even against conviction and punishment—much less against inquiry and trial, which were now the objects in question. His learned friend * had very judiciously taken a different ground, and given up that *set off*; but still the principles he went on were no less objectionable than those of the noble lord and the honourable alderman: he had treated the subject as if it was deficient of that consequence or magnitude which could entitle it to the judgment of that high and weighty tribunal to which it was proposed to submit it, and had besides endeavoured to oppose the farther progress of the business in that house, by analogous reasonings from the nature of this form of proceeding in parliament and that of grand juries and other courts. But he could not conceive how any gentleman could possibly consider the charges against Mr. Hastings in any other light than as a very grave, heavy, and serious accusation, such as was supported by evidence at least sufficient to warrant the putting him on his trial, and such as was of magnitude sufficient, if substantiated in proof, to bring down on him very ample punishment.

As to the analogies to other inquests, the learned lord himself, and those who entertained opinions similar to his, had themselves shewn how little their analogous reasonings applied; for they all seemed to go upon an idea, that the finding matter sufficient to put the party on his trial was assuming, for a certainty, that there was sufficient matter to convict. But this was by no means the case; for it was never supposed or imagined that exactly the same degree of evidence which was sufficient to warrant an impeachment of that house, must necessarily be sufficient to support and insure a conviction; neither was this the case in the finding of a grand jury: in both cases the final judi-

* The Lord Advocate (Mr. Dundas.)

cature must have proof considerably more substantial than that which the original inquest would have been justifiable in proceeding upon. But it was impossible for that house to govern itself exactly by the rules of a grand jury ; for the subjects that were likely to become objects of impeachment, were so different from those with which grand juries were conversant, that no analogy could take place in their modes of proceedings. Besides, if the house of commons were to take the proceeding of a grand jury as their precedent, and follow it exactly in all instances, it would amount to a complete dereliction of that function which they were then exercising—that of impeachment ; a function which had been the bulwark of the constitution, and which had enabled that house to preserve and maintain the freedom of their country, through the several struggles they had made for that purpose. Was that house competent to take deposition and evidence upon oath ? It certainly was not ; and therefore if it were not to proceed to an impeachment upon any other species of evidence than would justify a grand jury in finding a bill of indictment, it must never impeach at all ; for a grand jury could not find it except upon affidavit. Still he admitted that the house ought never to go to such a length as the carrying up of an impeachment, except upon such evidence as would afford a reasonable probability of their being able to make good their charge before the other house ; and was there not here, from what had been produced in support of this charge, and from the collateral and indirect matter which had alone been resorted to in defence of that charge, very reasonable grounds for expecting that they should be able to make good the present ?

An honourable magistrate * had inveighed with great severity on the conduct of gentlemen who, (he thought,) in support of the charge, had used expressions of too violent and personal a nature to be admitted in the progress of a judicial inquiry. He certainly was of opinion, that there was much illiberality in any attempt to inflame and excite emotions beyond what might naturally be expected to result from a fair and candid development

* Alderman Townsend.

of facts in the minds of those who were the instruments of public justice. He admitted that he once was of opinion, that the language of those who chiefly promoted the present proceeding, was too full of acerbity, and much too passionate and exaggerated; but when he found what the nature of the crimes alleged was, and how strong was the presumption that the allegations were true, he confessed that he could not expect that gentlemen, when reciting what they thought actions of treachery, actions of violence and oppression, and demanding an investigation into those actions, should speak a language different from that which would naturally arise from the contemplation of such actions.

The honourable magistrate had argued, that the honour of the house was not committed to adopt the resolutions of the committee, and had endeavoured to prevent such an impression from falling upon gentlemen as an inducement to their voting for them. But, was there any danger of gentlemen being influenced by such a consideration in the present case? Had the resolutions of the secret committee been a new matter, perhaps there might then have been some room for cautioning the house not to be drawn into too hasty an adoption of them from motives of consistency, because, in such a case, their adoption might possibly be attributed to such motives; but even then such a caution must prove unnecessary; for no member could consider himself bound to support the resolutions of a committee, merely because they were resolutions of a committee. In this instance, the object of the honourable alderman ought to be, to convince such gentlemen individually as had voted for the several charges, that, having done so, yet they would not be inconsistent in now opposing the report; but this argument, he must say, he believed no gentleman would attempt to support; for certainly no gentleman who had supported the charges could, consistently with the principles on which he did so, now oppose the farther progress of the business. But, in fact, he not only considered those gentlemen who voted for the charges individually, but the whole house collectively, as called upon by every motive of honour and consistency, by their regard for the national character as well as their

own, to unite and persevere in bringing the matter to a final conclusion before the other house.

The honourable gentleman* who had spoken last, and who, every body knew to be most perfectly conversant in the affairs of the East Indies, who had done himself so much honour in every part he had at any time taken in the management of their affairs, and who had been besides in general a strenuous opposer of the measures of Mr. Hastings, had that day made the best defence for him which he had yet heard; but still, upon the very grounds of that defence, Mr. Hastings appeared highly culpable. The principle argument which that honourable gentleman had stated in favour of Mr. Hastings, was, that a great part of those rapacious exactions which he had made in India, arose from the orders he had received from his employers, the East-India Directors, who were so elated with the acquisition of the Dewanee of Bengal, and the expectations they from thence entertained of becoming the channels of vast wealth into this country, that they gave him directions for such extensive investments as could not be provided by the ordinary resources of the company, and of course drove him to the necessity of supplying, by rapacity and extortion, the means of fulfilling their injunctions. Taking this to be the fact, it was he contended, no argument whatsoever to skreen Mr. Hastings from punishment; for it went to say, that whatever acts of injustice a servant of the company might commit, provided that he does it by the orders of his immediate superiors and employers, he should not be amenable to punishment;—a principle which, of all others, that house should be most assiduous to resist, because such a principle, if once established, would entirely overthrow the responsibility of all public officers—even of ministers themselves. But were the fact even thus;—the East-India company might entertain too flattering and too sanguine ideas of their situation, and in so doing, would naturally (as they did) give orders to their servants measured by the scale of those ideas; still was Mr. Hastings justifiable in re-

* Mr. Nathaniel Smith.

curring to acts of oppression and tyranny, in order to realize the visionary prospects of his masters? Was it not his duty to undeceive them, and by a proper representation of their affairs excuse himself for the non-performance to its full extent of their commands? He should recapitulate, as shortly as possible, the state of the charges against Mr. Hastings, from which it would appear, how impossible it was for him, or such gentlemen as were of opinion with him, to give him any other vote but one—of concurrence with the motion: though he certainly considered the whole of the charges as originally brought forward, as highly exaggerated in some parts, and as not wholly founded in others; yet there appeared from the evidence which had been produced, that there was in them a great deal of matter of substantial criminality, and sufficiently authenticated to warrant that house in proceeding upon it.

The chief point of this mass of delinquency was all which he could touch upon; nor would he go into the articles at any length, having already delivered his sentiments at large upon such of them as he was not anticipated in by gentlemen who thought as he did. In one part of the charge of Benares, there was great criminality; in that of the princesses of Oude there was still more; and *that*, indeed, he looked upon as the leading feature in the whole accusation. In the charges concerning Faruckabad and Fyzula Khan, there was also much criminal matter. In all of those there were instances of the most violent acts of injustice, tyranny, and oppression; acts which had never been attempted to be vindicated except on the plea of necessity. What that necessity was, had never been proved; but there was no necessity whatsoever which could excuse *such* actions as those, attended with *such* circumstances. He could conceive a state, compelled by the necessity of a sudden invasion, an unprovided army, and an unexpected failure of supplies, to lay violent hands on the property of its subjects; but, *then*, in doing so, it ought to do it openly, it ought to avow the necessity, it ought to avow the seizure, and it ought, unquestionably, to make provision for a proper compensation as soon as that should become

practicable. But was this the principle on which Mr. Hastings went? No; he neither avowed the necessity nor the exaction; he made criminal charges, and under the colour of them he levied heavy and inordinate penalties; seizing that which, if he had a right to take it at all, he would be highly criminal in taking in such a shape, but which having no right to take, the mode of taking it rendered it much more heinous and culpable. He, certainly, had no right to impose a fine of any sort on the princesses of Oude; for there was not sufficient proof of their disaffection or rebellion. And the fine imposed on Cheit Sing, in a certain degree, partook of a similar guilt, though not to so great an extent; for then the crime was, in his opinion, not so much in the fine itself as the amount of it, and its disproportion to the circumstances of the person who was to pay it, and the offence which he had committed. But this vindication, from one part of the charge, in itself so weak, became, when coupled with other parts, a great aggravation; for, when a person on the one hand commits extortion, and, on the other, is guilty of profusion, if he attempts to skreen himself under the plea of necessity, for his rapacity, it follows that he is doubly criminal for the offence itself, and for creating the necessity of that offence by his prodigality. And a still higher aggravation arises from the manifest, and, indeed, palpable corruption attending that prodigality; to what else could be attributed the private allowances made to Heyder Beg Khan, the minister of the Nabob Vizier, and the sums paid to the vakeel of Cheit Sing, when it was remembered that the one led the way to the treaty of Chunar, and the other to the revolution in Benares?

The honourable gentleman who spoke last, had attempted to excuse all these actions, by shewing that Mr. Hastings was not the person who first began the interference of the company with the native princes, nor the influence which it had obtained in their politics; and that the inconveniences attending the double government of Oude were not to be imputed to him. But, surely, to whatever cause that influence might be originally attributed, Mr. Hastings was answerable for the management of

it, as long as it was in his hands, and to excuse him on this plea, would be to justify the tyranny by the power; for, though the influence of the company had given him the power to oppress the neighbouring country, it had not imposed on him the necessity of doing so. The honourable gentleman had attempted to palliate those parts of Mr. Hastings's conduct, by stating, that if he were guilty, he was so in common with the rest of the council; but this, if it were the case, was by no means a sufficient excuse for him, nor could it be a reason with the house for dropping the impeachment; for his having accomplices in his crimes could be no exculpation, and it would be highly derogatory to the honour of that house, if they were to say—"No; we will not bring the delinquent to justice, because there are a number of delinquents besides him." Nor would this be a reason even for impeaching the rest; for it was by no means advisable to multiply examples: the proper way was, to select such as, from their exalted and ostensible situations, were the more likely to become an effectual example. But, it was impossible to justify Mr. Hastings on such a ground as this, even if it were tenable at all; because a considerable part of those enormities with which he was charged, were committed at a distance from his council, and when he was entirely out of the reach of their advice or control.

In the articles of the contracts, there were some glaring instances of breach of orders, and of improvidence and profusion, which, though not of so heinous a nature as those he had before mentioned, were such as called loudly for punishment. But there was another charge which he was astonished to find the gentlemen who defended Mr. Hastings could treat so lightly, as it was one which appeared to him in itself sufficient to justify the impeachment, though it had stood alone, and was of such a nature as, in a peculiar degree, called for the interference of that house. This was the charge of taking presents, which, in every light it could be considered in, whether as a direct breach of the law which appointed him, a positive evidence of corruption, or a degradation of the character of his employers, was a great and heavy

accusation; and as to the excuse which had been offered, that he had received those presents for the use of the company, even that was criminal in a degree. But, for his part, he could not accede to the opinion either that he had received those sums with an intention of applying them to the service of the company, or that he had actually applied them at all in that way; for, had this been his intention, he would have kept such accounts, and made such immediate communications of them, as should clearly prove that it was so. But, no such accounts were produced, no such communications were made; and there were, besides, circumstances attending some of them, that proved they must have been received with a corrupt intention. As an instance of this, he should mention the present Mr. Hastings had received from Kellaram, which was attended with the most suspicious of all circumstances, namely, that this very person was at the time in treaty for a district of land belonging to the company, and no question could be entertained, but he gave the money in order to obtain a favourable bargain; so that had this been done for the company, it was a most unjustifiable and impolitic method of managing their concerns; for, in that case, it should have been negociated openly in the nature of a fine, and not privately as a bribe, in which latter light alone it ought to be considered.

Upon the whole, Mr. Pitt concluded with declaring, that the house could no otherwise consult their own honour, the duty which they owed their country, and the ends of public justice, than by sending up the impeachment to the house of lords.

The original motion was carried,

Ayes 175

Noes 89

May 15, 1787.

MR. GREY, after complaining to the House of certain abuses that prevailed in the Post Office, moved for a committee to be appointed to enquire into the same: when

MR. PITT rose, declaring his intention not to detain the house long, and certainly not to oppose the motion of the honourable gentleman. A motion made for an enquiry into abuses stated to exist in a flagrant degree, and which an honourable gentleman declared himself impelled, by his duty as a member of parliament, and not by any private or personal views, to make, was such a one as he should at all times feel the strongest inclination to comply with, and from which nothing but evident and palpable impropriety could induce him to withhold his consent. But he expected that if the motion were to pass, the enquiry intended to be made might be proceeded upon immediately before the end of the session, and be pointed to the proper object of censure, if censure were, upon investigation, found to be deserved. The honourable gentleman had made heavy charges against a noble lord of high character and unsullied honour, and had thought proper also to extend his accusation to him, and it would be but a bad method of consulting either his own or the noble lord's reputation, to endeavour to shrink from an inquiry into the true grounds and merits of the accusation. The part which he had taken in the transaction relative to Mr. Lees, was one which he was always ready to submit to the judgment of the house. A memorial had been sent from the general post office, signed by the two noble lords who then presided there, the Earl of Tankerville and Lord Carteret, stating that Mr. Lees would probably suffer an injury in his employment, to a very considerable amount, in consequence of the separation of the two establishments of the post office—that of England and Ireland from each other. It also stated the annuity paid by Mr. Lees to Mr. Walcot, and by Mr. Walcot to Mr. Baron; and he, together with with other lords of the treasury, as well in consideration of the actual loss sustained by Mr. Lees, as from the circumstance of that gentleman having done the business for a considerable time for a small salary, in the prospect of an increase in his profits in future, did, upon inquiry into the amount of the loss, sign an order for an addition of 400*l.* to his salary. As to the charge made by the honourable gentleman, that he was inclined to wink

at abuses in the post office, or any other public establishment, it was a charge wholly unwarranted by fact, and unfounded by any reasonable presumption. So far was he from any backwardness for the reform in abuses in that office, that he had suggested a measure for the general reform of all those very abuses relative to shipping and other things which the honourable gentleman had mentioned, and that measure formed a part of the office reform bill. He then concluded, by reading the resolution which he had moved about three years ago on that subject.

Some expressions having fallen from Mr. Pitt in the course of the debate, which Mr. Grey considered as reflecting injuriously upon the motives by which he was influenced in the present enquiry, the latter rose with great warmth to repel such insinuations, and affirmed that no man should *dare* to question the purity of the principles on which he acted.

To this Mr. Pitt answered:—The honourable gentleman arrogates too much to himself, if he conceives that I shall not take the liberty of calling his motives in question as often as his conduct shall warrant such a freedom. If the honourable gentleman chooses not to have his motives questioned, he must take care that his conduct is such, as not to render it necessary.

Mr. Grey immediately replied, that he should never act in that house upon any principle which did not appear to him to be honourable; and while he was conscious that his conduct was governed by the unerring principles of honour, if any person chose to impute dishonourable principles to him, he had those means in his power, to which it would then be proper to resort.

Mr. Pitt and Mr. Sheridan rising together, the latter obtained a hearing first, and endeavoured to appease the heat that had arisen, by observing, that he believed his honourable friend had misunderstood the words of the chancellor of the exchequer.

Mr. Pitt declared, that he had not before spoken with heat, nor should there be any heat in what he was going to say. He then deliberately repeated the argument of his former speech, and added, that with respect to any means to which the honourable gentleman might wish to resort, it would be for himself to determine whether they were proper or not.

The question was afterwards put and agreed to.

December 10, 1788.

MR. PITT, after having brought up the report of the physicians touching the state of his Majesty's health, which was ordered to lie on the table, proceeded to observe—

That the paper from the privy-council, which had been already placed upon the table, as well as the more regular examinations of which the house had just heard the contents, afforded them sufficient information, both with regard to the melancholy subject which had occasioned them to assemble, and the opinions of the physicians; and must, at the same time, naturally fill their minds with a reasonable hope, that a happier moment would arrive than the present, although the faculty, who had been consulted, were still unable to declare the precise point of time of its arrival. Gratified, however, as the house might be in that expectation, yet the uncertainty by which its completion might be protracted, rendered it their indispensable duty to proceed, notwithstanding their regret for the occasion, with every degree of dispatch, and in the most respectful manner to take those intermediate steps which the unfortunate exigency of the moment required, in order to provide for the present serious situation of affairs, with a view to guard the liberties of the people from danger, and secure the safety of the country; that his Majesty might have the gratification of knowing, when the happy moment of his recovery should arrive, that the people whom he had loved and protected, had suffered as little as possible by his illness. The point to be agitated, on this occasion, involved in it whatever was dear to the interests of the country, it involved in it whatever was valuable to the people, whatever was important in the fundamental principles of our free constitution. The steps to be taken as preliminaries, therefore, to the discussion of this truly interesting subject, were such as he could not conceive likely to create any difference of opinion. That the house might have the advantage of the wisdom of their ancestors to guide their proceedings, and act upon the fullest information, he should move for the appointment of a committee to examine into, search for, and

report precedents, from which report they would be enabled to see, what had been the steps taken in former moments of difficulty and danger, whence they might proceed with the greater security in providing for the present melancholy circumstances of the country.

In conclusion, after dilating at some extent upon the necessity of this mode, Mr. Pitt said, he would not detain the house by enlarging upon the subject any longer, but as, on the one hand, it would serve to throw all the light upon it that precedent and history could afford ; so, on the other, as he conceived the report of such a committee as he had mentioned might be made in the course of the present week, it could very little contribute to retard the dispatch that was so desirable, and must prove of no material inconvenience. With a view, therefore, to give their proceedings every necessary solemnity, and regulate them by every possible degree of caution, he should move,

“ That a committee be appointed to examine and report precedents of such proceedings as may have been had, in case of the personal exercise of the royal authority being prevented or interrupted, by infancy, sickness, infirmity, or otherwise, with a view to provide for the same.”

Mr. Fox, although he did not resist the motion, considered it as productive of unnecessary delay, when it was the duty of the house to provide with all possible dispatch for the exigency of the present moment. He had no hesitation, he said, in declaring it as his decided opinion, that his royal highness the Prince of Wales had as clear, as express a right to assume the reins of government, and exercise the powers of sovereignty during the continuance of the illness and incapacity with which it had pleased God to afflict his Majesty, as in the case of his Majesty's having undergone a natural and perfect demise.

To this latter assertion Mr. Pitt answered,

That he must take the liberty to observe, that the right honourable gentleman had thrown out an idea which, whatever he might have generally thought of him, as to his penetration and discernment, as to his acquaintance with the laws and general history of the country, and as to his knowledge of the theory of the constitution, (however he might repeatedly have

found occasion to differ with him in respect to his measures and opinions in his practice under it) he defied all his ingenuity to support, upon any analogy of constitutional precedent, or to reconcile to the spirit and genius of the constitution itself. The doctrine advanced by the right honourable gentleman was itself, if any additional reason were necessary, the strongest and most unanswerable for appointing the committee he had moved for, that could possibly be given. If a claim of right was intimated, even though not formally, on the part of the Prince of Wales, to assume the government, it became of the utmost consequence to ascertain, from precedent and history, whether this claim were founded; which, if it were, precluded the house from the possibility of all deliberation on the subject. In the mean time, he maintained, that it would appear, from every precedent, and from every page of our history, that to assert such a right in the Prince of Wales, or any one else, independent of the decision of the two houses of parliament, was little less than treason to the constitution of the country. He said, he did not mean then to enter into the discussion of that great and important point; because a fit occasion for discussing it would soon afford both the right honourable gentleman and himself an ample opportunity of stating their sentiments upon it. In the mean time, he pledged himself to this assertion—that in the case of the interruption of the personal exercise of the royal authority, without any previous lawful provision having been made for carrying on the government, it belonged to the other branches of the legislature, on the part of the nation at large, the body they represented, to provide, according to their discretion, for the temporary exercise of the royal authority, in the name, and on the behalf, of the sovereign, in such manner as they should think requisite; and that, unless by their decision, the Prince of Wales had no right (speaking of strict right) to assume the government, more than any other individual subject of the country. What parliament ought to determine on that subject, was a question of discretion. However strong the arguments might be on that ground, in favour of the Prince of Wales, which he would not enter into at

present, it did not affect the question of right; because, neither the whole, nor any part of the royal authority could belong to him in the present circumstances, unless conferred by the houses of parliament.

As to the right honourable gentleman's repeated enforcement of the Prince of Wales's claim, he admitted that it was a claim entitled to most serious consideration; and thence, must take the liberty of arguing, that it was the more necessary to learn how the house had acted in cases of similar exigency, and what had been the opinion of parliament on such occasions. He would not allow that no precedent analogous to an interruption of the personal exercise of the royal authority could be found, although there might possibly not exist a precedent of an heir apparent in a state of majority, during such an occurrence, and in that case, he contended, that it devolved on the remaining branches of the legislature, on the part of the people of England, to exercise their discretion in providing a substitute.

Mr. Pitt contended, that in the mode in which the right honourable gentleman had treated the subject, a new question presented itself, and that of greater magnitude even than the question which was originally before them, as matter of necessary deliberation. The question now was, the question of their own rights, and it was become a doubt, according to the right honourable gentleman's opinion, whether that house had, on this important occasion, a deliberative power. He wished, for the present, to wave the discussion of that momentous consideration; but, he declared that he would, at a fit opportunity, state his reasons for advising what step parliament ought to take in the present critical situation of the country, contenting himself with giving his contradiction to the right honourable gentleman's bold assertion, and pledging himself to maintain the opposite ground against a doctrine so irreconcilable to the spirit and genius of the constitution. If the report of the committee had not proved the necessity of the motion he had made, the right honourable gentleman had furnished the house with so strong an argument for inquiry, that, if any doubt had existed, that doubt must va-

nish. Let it not, then, be imputed to him, that he offered the motion with a view to create delay; indeed, the right honourable gentleman had not made any such imputation. In fact, no imputation of that sort could be supported; since no longer time had been spent, after the first day of their meeting, than was absolutely necessary to insure as full an attendance as the solemnity and seriousness of the occasion required; since that time, every day had been spent in ascertaining the state of his Majesty's health, and now the necessity of the case was proved, it behoved them to meet it on the surest grounds. Let them proceed, then, to learn and ascertain their own rights; let every man in that house, and every man in the nation, who might hear any report of what had passed in the house that day, consider, that on their future proceedings depended their own interests, and the interest and honour of a sovereign, deservedly the idol of his people. Let the house not, therefore, rashly annihilate and annul the authority of parliament, in which the existence of the constitution was so intimately involved.

Mr. Burke next rose and sarcastically attacked the doctrine laid down by the chancellor of the exchequer; emphatically calling Mr. Pitt "one of the Prince's competitors," and declaring that, were he to give an elective vote, it should be in favour of that Prince, whose amiable disposition was one of his many recommendations, and not in support of a "Prince," who had threatened the assertors of the Prince of Wales's right with the penalties of constructive treason.

MR. PITT concluded the conversation with remarking, that if the right honourable gentleman,* who had condescended to be the advocate and the specimen of moderation, had found any warmth in his manner of speaking before, which led him to think that he had not considered what he said, he was ready to repeat it with all possible coolness, and knew not one word that he would retract. Upon this ground, therefore, was he still ready to maintain, that it was little less than treason to the constitution to assert, that the Prince of Wales had a claim to the ex-

* Mr. Burke.

ercise of the sovereign power during the interruption of the personal authority of his Majesty by infirmity, and in his life-time; and to this asseveration should he adhere, because he considered such a claim as superseding the deliberative power and discretion of the two existing branches of the legislature. And, when he had said the Prince of Wales had no more right to urge such a claim than any other individual subject, he appealed to the house upon the decency with which the right honourable gentleman had charged him with placing himself as the competitor of his royal highness. At that period of our history, when the constitution was settled on that foundation on which it now existed, when Mr. Somers and other great men declared, that no person had a right to the crown independent of the consent of the two houses, would it have been thought either fair or decent for any member of either house to have pronounced Mr. Somers a personal competitor of William the Third?

The question was then put and agreed to, and a committee was accordingly appointed, consisting of the following members.

The Chancellor of the Exchequer,	
Welbore Ellis, Esq.	Ld. Advocate of Scotland,
The Master of the Rolls,	Marquis of Graham,
Rt. Hon. F. Montagu,	Lord Belgrave,
Attorney General,	Sir Grey Cooper,
Robert Vyner, Esq.	Wm. Wilberforce, Esq.
Rt. Hon. Henry Dundas,	Rt. Hon. Wm. Windham,
Thomas Powys, Esq.	Philip Yorke, Esq.
Solicitor General,	Earl Gower,
R. B. Sheridan, Esq.	Rt. Hon. W. W. Grenville,
Wm. Hussey, Esq.	Rt. Hon. Edmund Burke,

December 12, 1788.

The report being brought up from the committee, who had been appointed to examine precedents in cases of the personal exercise of the royal authority being interrupted by sickness, infirmity, or otherwise,

Mr. Pitt moved, "That the House should on Tuesday next resolve itself into a Committee of the whole House to take into consideration the State of the Nation."

After Mr. Fox had spoken,

MR. PITT rose, and begged leave to remind the house, that they had just received a voluminous report from the committee, appointed to search for precedents, in order that gentlemen might have every information before them, to guide their proceedings under the present arduous and singular situation of the country, that the wisdom of their ancestors, the statutes of the realm, and the records of parliament, could afford; and he had moved to refer that report, together with the examination of his Majesty's physicians, to the committee of the whole house, who were to take the state of the nation into their consideration upon the ensuing Tuesday. In that committee, the topics touched on by the right honourable gentleman * would necessarily undergo an ample discussion. In their last debate on the subject, there appeared to be a point at issue between the right honourable gentleman and himself; and, from all that the right honourable gentleman had then said, it still appeared to be no less at issue than before. The right honourable gentleman explained, as he thought proper, the meaning of a very essential part of his speech, on the preceding Wednesday. Mr. Pitt said, that he should be sorry to fix on any gentleman a meaning, which he afterwards declared not to have been his meaning. In whatever way, therefore, he had before understood the right honourable gentleman's words relative to the prince's forbearing to assert his claim, he was willing to take the matter from the right honourable gentleman's present explanation, and to meet it upon those grounds where he had then, after maturer deliberation, thought fit to place it. The right honourable gentleman now asserted, that the Prince of Wales had a right to exercise the royal authority, under the present circumstances of the country, but that it was as a right not in possession, until the prince could exercise it on, what the right honourable gentleman called, the ad-

* Mr. Fox.

judication of parliament. He, on his part, denied that the Prince of Wales had any right whatever, and upon that point the right honourable gentleman and he were still at issue—an issue, that, in his opinion, must be decided, before they proceeded one step farther in the great and important considerations to be discussed and determined.

Concerning one part of the right honourable gentleman's speech, it was impossible for him to remain silent, as the right honourable gentleman's ideas in that point had not appeared to him to be quite accurate and distinct. He seemed to have intended to have renounced all idea of the Prince of Wales's right to assume the exercise of the royal authority, under the present or similar circumstances, without the previous adjudication of parliament, or of the two houses; but, if he understood the right honourable gentleman correctly, he had used the words, "during the sitting of parliament;" the plain inference from which expression was, that if parliament were not sitting, the Prince of Wales could assume the exercise of the regal authority. Mr. Pitt declared, that he thought the Prince of Wales could, in no one case, have power to assume the right. If there were no parliament in existence, he granted, that the heir apparent, acting in concert with other persons in great situations, might, under such circumstances as the present, have issued writs, and convened the two houses, for the purpose of providing for the exigency. Such a proceeding would be justified by the necessity of the case, and with a view to the safety of the nation, which superseded all forms; but, that it would be a legal and formal summons of the parliament, or that a parliament could be called together, without legal authority, he must absolutely deny. Such a meeting would be a convention, like to that assembled at the time of the abdication of James the Second, and in other periods of difficulty; but it could not be a legal and formal calling together of a parliament. With regard to the question of the Prince of Wales's right of assuming the power, during the intermission of parliament, and his right not in possession, as it was called, during the sitting of parliament, he

need not rest much upon the distinction, denying, as he did, that any right to assume the regal authority, under any circumstances, independent of the consent and approbation of parliament, existed in the Prince of Wales. But, supposing the right of assumption of royalty given up altogether, and that the prince must have the right adjudged by parliament, he denied that they were canvassing a right, and acting as judges, as the sentiments of the right honourable gentleman so manifestly intimated. It was subversive of the principles of the constitution to admit, that the Prince of Wales might seat himself on the throne during the lifetime of his father; and the intimation of the existence of such a right, as he had remarked on a former occasion, presented a question of greater magnitude and importance even than the present exigency, and the provision that it necessarily required; a question that involved in it the principles of the constitution, the protection and security of our liberties, and the safety of the state.

Whatever, therefore, might be the order of their proceeding, he hoped there would be an unanimous concurrence of opinion, that it was impossible to let the question of right, which had been started, undergo admission, without its being fully discussed and decided. It was a question that shook the foundation of the constitution, and upon the decision of which, all that was dear to us as Britons, depended. In his opinion, therefore, it was their first duty to decide, whether there were any right in the Prince of Wales to claim the exercise of the regal power, under any circumstances of the country, independent of the actual demise of the crown. In the discussion of the powers with which the regent was to be invested, there might be differences of opinion, whether the whole of the royal prerogatives should be delegated, on the grounds of expediency; there might be differences of opinion, whether a portion only of the royal authority should be delegated, and a part reserved, on the grounds of prudence and discretion. These were important topics, which they could not discuss, unless they first knew, whether they were sitting as judges, or as a house of parliament, possessing a

power of deliberation, and capable of exercising a constitutional discretion. They must first ascertain, whether that which should be vested in the hands of the Prince of Wales, was matter of adjudication on their part, of right in his royal highness, or as a trust in behalf and in the name of his Majesty; and therefore, he should think it his duty to bring forward the question of right, as a preliminary question. If that question should be decided in the affirmative, there would be no need of specific measures. Should it, however, be determined upon a contrary ground, the way would become cleared, and the house would know how to proceed. He had, indeed, mentioned the alternative, but, Heaven forbid, that the fatal alternative should be decided in favour of the intimated right of the Prince of Wales!

Mr. Pitt next took notice of the call which Mr. Fox had made upon him, relative to the future propositions to be brought forward by him in the committee which had been moved for, to take into consideration the state of the nation. He said, that, if the question of right should be decided, as he thought it would, upon constitutional principles, he should, in that case, certainly proceed to propose measures for providing for the interruption of the royal authority, occasioned by his Majesty's present incapacity to exercise it; and as he was always happy when he could concur with the requisition of the right honourable gentleman, he would state the outline, without feeling any prejudice to the person who had called for it; but, he begged to have it understood, that what he was about to state was not to be a matter of debate at that moment, nor were any arguments then to be raised upon it. He proceeded to declare, that, however decided he might be in his opinion against the whole, or any part, of the regal power being vested in the Prince of Wales, as a matter of right, in any way in which that right had been explained, he was equally ready to say, that, as a matter of discretion, and on the ground of expediency, it was, in his opinion, highly desirable, that whatever part of the regal power it was necessary should be exercised at all, during this unhappy interval,

should be vested in a single person, and that this person should be the Prince of Wales: That he also thought it most consistent with true constitutional principles, and most for the public convenience, that his royal highness should exercise that portion of authority, whatever it might be, unfettered by any permanent council, and with the free choice of his political servants. With regard to the portion of royal authority which ought to be given, or that which ought to be withholden, it would be premature, in this stage, to enter into the particular discussion of it: he had no objection, however, even now, to declare in general, that whatever authority was necessary for carrying on the public business with vigour and dispatch, and for providing, during this interval, for the safety and interests of the country, ought to be given; but, on the other hand, any authority, not necessary for those purposes, and capable of being, by possibility, employed in any way which might tend to embarrass the exercise of the king's lawful authority, when he should be enabled to resume it into his own hands, ought to be withholden; because, from its being given, more inconvenience might arise to the future interests both of the people and of the crown, than any which could arise, in the mean time, from its temporary suspension.

Mr. Pitt added, that he could justify the principles of this explicit declaration of his intention, on the ground, that, whatever was given to the regent, or withholden, ought to be given, or withholden with a view to the moment when his Majesty should be capable of resuming his rightful prerogatives; a circumstance to which it peculiarly became him to look, in the situation in which he stood, honoured with the confidence of a sovereign to whom he was bound, and strongly attached, by the ties of gratitude and duty;—but of that he would say no more. Whatever judgment might be formed of what he had declared, he was conscious of having given a free and an honest opinion, and was satisfied with that consciousness. He conceived, it could not be thought necessary for him to go any farther into the subject, as the adjustment of the whole proceeding must rest with the com-

mittee on the state of the nation, where it would be necessary to come forward with the different propositions separately, and to proceed, step by step, to mark and define, by distinct resolutions, what parts of the royal prerogative should be given to the regent, and what withholden.

The motion was agreed to.

December 16, 1788.

THE House, conformably to the order of the day, resolved itself into a Committee of the whole House, on the consideration of the State of the Nation, Mr. Brook Watson in the chair; when

MR. PITT rose, and, having premised that the house were then in a committee to take into consideration the state of the nation, under circumstances the most calamitous which had befallen the country at any period, remarked, that it was then a century ago since any point of equal importance had engaged the attention of that house. The circumstance that had then occurred was the revolution; between which, however, and the present circumstance, there was a great and essential difference. At that time, the two houses had to provide for the filling up of a throne, that was vacant by the abdication of James the Second; at present, they had to provide for the exercise of the royal authority, when his Majesty's political capacity was whole and entire, and the throne consequently full, although, in fact, all the various functions of the executive government were suspended, but which suspension they had every reason to expect would be but temporary. There could, he said, be but one sentiment upon that head, which was, that the most sanguine of his Majesty's physicians could not effect a cure more speedily than it was the anxious wish of every man in that house, and every description of his Majesty's subjects, that his cure might be effected, and that he might thence be enabled again to resume the exercise of his own authority. During the temporary continuance, however, of his Majesty's malady, it was their indis-

pensable duty to provide for the deficiency in the legislature, in order that a due regard might be had to the safety of the crown, and to the interests of the people. The first report before the committee established the melancholy fact that had rendered their deliberations necessary; the second contained a collection of such precedents, selected from the history of former times, as were in any degree analogous to the present unfortunate situation of the country; and, although he would not undertake to say that still more precedents might not have been found, yet, such as the report contained would serve to throw a considerable degree of light on the subject, and point out to the house the mode of proceeding most proper to be adopted.

Notwithstanding the magnitude of the question, what provision ought to be made for supplying the deficiency? there was a question of a greater and still more important nature, which must be discussed and decided first, as a preliminary to their future transactions, with a view to the present exigency. The question to which he alluded, was, Whether any person had a right, either to assume or to claim the exercise of the royal authority, during the incapacity and infirmity of the sovereign; or, whether it was the right of the lords and commons of England to provide for the deficiency in the legislature, resulting from such incapacity? On a former day, he had stated, that, in consequence of an assertion having been made in that house, that a right attached to his royal highness the Prince of Wales, as heir apparent, to exercise sovereign authority, as soon as the two houses of parliament declared his Majesty, from illness and indisposition, incapable of exercising his royal functions, it appeared to him to be absolutely and indispensably necessary, that the question of right should be first decided by the committee, before they took a single step to provide for the deficiency of the third estate of the realm. By the assertion of the existence of such a right, no matter whether a right that could be assumed in the first instance, or a right which attached, after the declaration of both houses of parliament, that his Majesty was incapable, a doubt had been thrown upon the existence of what

he had ever considered as the most sacred and important rights of the two houses; and it became absolutely necessary for them to decide that doubt, and, by such decision, ascertain whether they had a power to deliberate, or whether they had only to adjudge, that such a right as had been mentioned was legally vested in his royal highness the Prince of Wales. The most embarrassing difficulties had, indeed, been thrown upon their proceedings, by the assertion, that such a claim existed; and although he was free to confess, that the assertion had not been made from any authority, and that they had since heard, though not in that house, that it was not intended that the claim should be made, yet, having been once stated, by a very respectable member of that house, as his opinion, it was an opinion of too much importance to be passed by unnoticed. He would intreat the house to remember, however, that he had not stirred the question of right originally. If, therefore, any serious danger were actually to be dreaded, by its being discussed and decided, that danger and its consequences were solely imputable to the first agitator of the question, and not to him. Had the doubt never been raised, an express declaration on the subject had not been necessary; but, as the matter stood, such a declaration must be made one way or the other. He begged, however, that it might not be imputed to him, that he was desirous of wasting time in bringing forward any abstract, or speculative, or theoretical question. An abstract question, in his conception of it, was a question wholly unnecessary, the discussion of which could answer no end, nor could its decision afford any light to guide and assist them in their proceedings. Of a very different nature was the question of right; it was a question that stood in the way of all subsequent proceeding, the resolving of which must necessarily decide the whole of their conduct, with regard to the present important business; they were not free to deliberate and determine, while the doubt of an existing right or claim hung over their heads; they could not speak intelligibly, or to any purpose, until they knew their proper characters, and whether they were

exercising their own rights for the safety of the crown, and the interests of the people, or whether they were usurping that which had never belonged to them. On that ground it was, that he had declared the question of right not to be an abstract question, a speculative question, or a theoretical question.

The first information which the papers that had been referred to the committee afforded, was that which he should make the first resolution. It was a resolution of fact, as the ground of those that were designed by him to follow it; a resolution, stating that of which the language of all his Majesty's physicians afforded sufficient proof, that his Majesty was incapable, from illness, of coming to his parliament, or attending to any public business, whence arose the interruption of the exercise of the royal authority. To that resolution of fact, he conceived there could not be any objection. His next resolution would be the resolution of right, couched in part in the words of the bill of rights, and stating, "That it was the right and duty of the lords spiritual and temporal, and of the house of commons, as the rightful representatives of all the estates of the people of England, to provide for the deficiency in the legislature, by the interruption of the exercise of the royal authority, in consequence of his Majesty's incapacity through indisposition."

Here Mr. Pitt renewed his arguments in support of the claim of the two houses of parliament, declaring that, under the present circumstances of the country, it was his firm and unalterable opinion, that it was the absolute and undeniable right of the two houses, on the part of the people, to provide for the revival of the third estate. He declared, he would state the point at issue between him and the right honourable gentleman* opposite to him fairly. He wished not to take any advantage of any shades of difference between them, but to argue upon the solid and substantial difference of their opinions. If he had conceived the right honourable gentleman properly, he had asserted,

* Mr. Fox.

that, in his opinion, the Prince of Wales, as heir apparent, upon the incapacity of the sovereign to exercise the sovereign authority being declared, had as clear, as perfect, and as indisputable a right, to take upon himself the full exercise of all the authorities and prerogatives of his father, as if his Majesty had undergone an actual demise. If it could be proved to exist by any precedents drawn from history, or founded in law, or by the analogy of the constitution, he wished to have been told what those precedents were, because, in that case, the ground would be narrowed, and the proceedings of the committee rendered short and simple, as they would have no power nor occasion to deliberate; the only step they could take, would be to recognize the claim of right. That claim of right, however, he flatly denied to have any existence capable of being sustained by such proof as he had mentioned. The right of providing for the deficiency of the royal authority, he contended, rested with the two remaining branches of the legislature. He professed himself exceedingly happy to hear that a declaration had been made in another place, from high authority, that the right stated by the right honourable gentleman in that house, to have existence, was not meant to be urged by a great personage. He came that day, confirmed in every opinion which he had before stated; and particularly confirmed in the opinion that no such right or claim in the Prince of Wales, as heir apparent, to exercise the royal authority during the incapacity of the sovereign, could be proved, either from precedents drawn from history, or from the law, or from the spirit of the constitution.

He begged leave to remind the committee, that when the right honourable gentleman first mentioned the right of the Prince of Wales in this particular, the right honourable gentleman had declared he was willing to wave the motion for a committee to search for precedents, because that he was persuaded, and the house must allow, that no precedent could be found that bore upon the particular case, of a Prince of Wales, the heir apparent to the crown, being of full age, and capable of taking on himself the exercise of the royal authority, under such circum-

stances as the present. There certainly was no case precisely in point; but, though the committee above stairs could not find a case precisely in point, they had furnished the house with many precedents, from which analogies might be drawn. He called upon the right honourable gentleman opposite to him, to point out a single case analogous to the infancy, infirmity, or illness of a sovereign, in which the full powers of sovereignty were exercised by any one person whatever. If the right attached to his royal highness, under the present circumstances, in the same manner as on the demise of his father, an heir presumptive would succeed as perfectly as an heir apparent, and, in pursuance of that doctrine, those precedents that would attach in the one case, would attach in the other. For precedents that were analogous, he would refer the committee to the report on the table; the precedents in which, though they might not throw all the light on the subject that could be wished, certainly tended to elucidate it considerably. He would refer to some of the precedents, and convince gentlemen, that their result formed the most undeniable proof, that no such right existed as had been pretended.

The first precedent was taken from the reign of Edward the Third, when no heir apparent had claimed the exercise of the royal authority. The parliament of those days, whether wisely or not was no question before the committee, provided a council about the king's person to act for him; a clear proof, that they conceived the power existed with them to provide for the exercise of the royal authority. The next precedent was in the reign of Richard the Second, when counsellors were also appointed to exercise the regal power. The third precedent occurred in the infancy of Henry the Sixth. At that time the parliament were called together by the young king's second uncle, the first being still living, but out of the kingdom; and that act was ratified by parliament, they not considering it sufficient that it was done by the authority of the duke. In that instance, again, it was clear, that the regency was carried on by the parliament. These three instances were the principal of those

stated in the report of the committee; subsequent precedents would prove, that no one instance could be found of any person's having exercised the royal authority, during the infancy of a king, but by the grant of the two houses of parliament, excepting only where a previous provision had been made. Having thus far mentioned the power of parliament, during the infancy of a king, he observed, that he would next state their power, during the king's absence; and if, in that case, it should be asserted, that the heir apparent had a right to exercise the royal authority, let the committee consider how the assertion would stand.

It had been advanced, that, in the majority of such cases, the power had been given to the Prince of Wales. If such cases could be adduced, they would, he owned, be cases in point; but, then, to prove what? To prove, that such heirs apparent possessed no inherent right. If a right existed to represent the king, it must be a perfect, and an entire right, a right admitting of no modification whatever; because if any thing short of the whole power were given, it would be less than by right could be claimed, and consequently an acknowledgment that no such right existed. But, could any such cases be pointed out? By a reference to the ancient records, it would be found, that the *custos regni*, or *lieutenant for the king*, had never been invested with the whole rights of the king himself. The powers given to the *custos regni* had been different, under different circumstances; a plain and manifest inference thence arose that the *custodes regni* did not hold their situation as a right, but by appointment. The powers of bestowing benefices, and doing other acts of sovereignty, had been occasionally given to the *custodes regni*, which shewed that their powers had been always subject to some limitation or other. In modern times, lord-justices had been frequently appointed to the exercise of sovereign authority, during the residence of a prince of age in the country. Another instance that occurred to him was, where the exercise of royalty had been interrupted by severe illness, and which appeared to him to be more a case in point than any

other, to the present melancholy moment. The example to which he alluded was the precedent of Henry the Sixth; where the heir apparent was not of full age. It would, then, to supply the defect of that precedent, be necessary to have recourse to the principles of the constitution, and to the laws of the land; and, upon this ground, it would be discovered, that the parliament of that day provided for the moment; that they were not content with such provision, but, that they looked forward to the time when the heir apparent should attain full age, granting him a reversionary patent, the same precisely with the regent's, to take place when he should come of age. Thus, though they provided for allowing him at that period more considerable powers than they had suffered him before to possess, they had still not granted him the full powers of sovereignty, but had made such limitations, as proved their most positive denial of any right existing. That instance, though a single one, and where the heir apparent was not of full age, was sufficient to shew the sense of parliament in those days, as much as if the heir apparent had been of full age.

If no precedent contrary to those which he had stated to the committee could be advanced, he should presume, that the committee would, of course, admit that no right existed with an heir apparent, or an heir presumptive, to assume the functions of royalty on the temporary incapacity of the sovereign; nor any rights but those delegated by the two remaining branches of the legislature. He scrupled not therefore to declare, that no positive law, nor the least analogy from any law, could be adduced to support the doctrine of right. A record had, indeed, been quoted elsewhere [the house of lords] to prove that the king and the heir apparent were one and the same person, and that it followed of course, that, on the incapacity of the king, the heir apparent had a legal and clear right immediately to exercise the same powers that the king had possessed: but, a different opinion was entertained of that record by persons of great eminence and authority in the law, and by their opinion a far different conclusion was drawn from the same record, the

metaphorical expression of which was not to be taken literally. Another opinion which had been started, was, that if parliament had not been sitting, in such a case the prince would have a right to assume the royal authority, and summon parliament. But this position he should expressly contradict; because, those who were, like him, standing up for the rights of parliament, and, through parliament, for the rights of the people, were peculiarly fortunate in one particular; they were as fortunate as most of those, who had truth and justice on their side, generally were, because little was left for them to do, except to controvert and overcome their antagonists by stating to them, and comparing their own arguments and assertions, made at different times, and as the occasion suited.

It had been pretty strenuously contended elsewhere by a learned magistrate,* who had chosen to force his own construction on their silence, that our ancestors, if they had entertained any doubt of the right of an heir apparent, would, in their wisdom, have provided for so possible a case as the present; and yet, instead of leaving the interpretation of this point to that learned lord's wisdom, it must be concluded by the committee, that they would have provided for it in plain, distinct, clear, and express words, and would not have left it liable to be differently understood. The wisdom of our ancestors, however, he conceived, was better proved by their having said nothing upon it, but left such a question to be decided where it ought to be decided, whenever the occasion required it—by the two houses of parliament. That the committee might assert the same, he meant, in the resolution he should offer, to quote that doctrine from the bill of rights, and assert that it rested with the lords and commons, as the rightful representatives of the people. If the contrary doctrine was so evident that it must be true; if the heir apparent, or heir presumptive, had a clear right to assume the royal prerogative, on the interruption of those powers, he desired to ask every gentleman in the committee, whether they would wish to adopt such a doctrine as a doctrine applicable to

* Lord Loughborough.

the safety of the crown, which had been long gloriously worn by his Majesty, and which it was the ardent, the sincere wish of his people that he might long continue to wear, until it should, in due time, and in a natural manner, descend to his legal and his illustrious successor? Mr. Pitt here strongly deprecated the idea of avoiding the discussion of what limitations might be necessary for insuring the safety of the crown on the head of its present possessor, on account of the many virtuous qualifications of the prince, or out of respect to any other motive whatsoever. It would not have been wisdom in our ancestors had they said, that the care of the person of the sovereign ought to be vested in the heir apparent. He hoped, in this declaration, that he should not be misunderstood, for, he was ready to acknowledge the greatest and best qualities in the present heir apparent; but he would rather, in what he had said, be misrepresented in any manner, and any where, than sacrifice the duty which he owed to the safety of his sovereign, and to the interests of the people.

The right honourable gentleman opposite to him had said, on a former day, that his royal highness had as clear a right to the exercise of the sovereign authority, as he would have had in case of the natural demise of the sovereign, and that he conceived the present to be a *civil death*. Could the committee so consider his Majesty's indisposition, which was not an uncommon case, and generally but temporary—could they conceive that his Majesty had undergone a *civil death*? He was sure they would not. If such a thing existed at the present moment as a *civil death*, his royal highness would immediately ascend the throne, with the full exercise of the royal prerogative, and not as a regent; for a *civil death*, like a natural death, was permanent. He stated from Mr. Justice Blackstone, that there were but two cases in which a man could undergo a civil death; the first was his being banished from the realm by process of common law; the second, his having entered into a religious order, and becoming a monk professed, thereby taking himself for ever from all secular concerns. The first was an act which cut off a criminal from society within the realm, and the other was the vo-

luntary act of retiring from the world. Would any man pretend, that either of those cases was analogous to the visitation of Heaven, to a stroke inflicted by the hand of Providence, which might, and probably would, prove temporary? Could it be pretended, that they ought to be adduced as acts to prevent his Majesty in future from exercising those powers which he had never forfeited, which he had never renounced?

After having advanced so much in contradiction to the claim of right, he believed no one would think of asserting it. The only question, then, was, and to which what had passed before was but preliminary, where did the right exist? If no provision in precedent, in history, or in law, was to be found, for the exercise of such authority, on the disability of the sovereign, where was it to be found? It was to be found in the voice, in the sense of the people. With them it rested; and though, in extraordinary cases, in most countries, such an event as the calamity which all deplored, would have gone near to dissolve the constitution itself, yet, in this more happily-tempered form of government, equally participating the advantages, and at the same time avoiding the evils, of a democracy, an oligarchy, or an aristocracy, it would have no such effect; for, though the third estate of the legislature might be deficient, yet the organs of speech of the people remained entire in their representatives, by the houses of lords and commons, through which the sense of the people might be taken. The lords and the commons represented the whole estates of the people, and with them it rested as a right, a constitutional and legal right, to provide for the deficiency of the third branch of the legislature, whenever a deficiency arose; they were the legal organs of speech for the people; and such he conceived to be the true doctrine of the constitution. He would not merely state these as his own opinions, but he would state them to be the opinions of those who had framed the revolution, who had not, like the committee, to provide for the interruption of regal powers, while the throne was full, but to supply the deficiency of the third branch of the legislature, which was wholly vacant. Whenever the third branch, however,

of the legislature was wholly gone, or but suffered a suspension, it was equally necessary to resort to the organs of the people's speech. Agreeably to the laws of the land, to the records of parliament, to precedent, and to the constitution, the political capacity of the king, except in cases of absolute forfeiture of the crown, was always considered as legally entire; and during that political capacity, according to the spirit of the constitution, if any natural incapacity should cause a suspension of the royal authority, it then rested with the remaining branches of the legislature to supply such defect. In every proceeding of the parliament, in the reign of Henry the Sixth, they had acted upon such a power, and declared in what manner, and by whom, the royal authority was to be exercised for, and in the name of, the king. In that reign, the Duke of Gloucester claimed the regency, and applied to parliament for the same as his right; but the answer of parliament to such claim was, that he neither had by birth, nor by the will of his brother, any right whatever to the exercise of the royal authority. They, however, appointed him regent, and entrusted him with the care of the young king. Here was an instance of the claim of right having been actually made, and an instance, likewise, that it had been fully decided upon by the then parliament, who declared, that no such right existed, either from the law of the land, or from precedent. The rights of parliament were congenial with the constitution.

Mr. Pitt referred the committee to every analogy that could be drawn from the principles of the constitution, and he contended, that the only right would be found to exist in parliament, describing it as a right capable of so effectually providing for the deficiency of the third branch of the legislature, as to enable them to appoint a power to give sanction to their proceedings, in the same manner as if the king was present. As the power of filling the throne rested with the people at the revolution, so, at the present moment, on the same principles of liberty, on the same rights of parliament, did the providing for the deficiency rest with the people. He declared, that he felt himself inadequate to the great task of stating the rights and privileges of the

constitution, and of parliament; but he had made it appear, as plainly as he could, that no right existed any where to exercise the whole, or any part, of the royal prerogatives, during the indisposition of the sovereign. He had also proved, that, from the necessity of the case, it rested with that and the other house of parliament, to provide for the deficiency in the legislature. He supposed that doubts might be stated as to the propriety of coming to any decision on the question, and that he might be charged with having stirred notions dangerous to the state; but such questions, he begged it to be remembered, he had not stirred. When questions concerning the rights of the people, the rights of the parliament, and the interests of the nation, were started, it was necessary, if the house had a right on the subject, to exercise that right; it was their duty; it was a matter that could by no means be lightly given up. If it was their duty, in the present calamitous state of the nation, to grant power, they ought to know how they granted such power. They must decide, either in the manner of a choice, or as acting judicially, to recognize a claim of right; and if they recognized such claim, it would be an acknowledgment that they had no power to deliberate on the subject. If they did not come to some decision, they would confound their own proceedings, and it would be highly dangerous to posterity, in point of precedent. They were not, therefore, to consult their own convenience. He remarked, that, originally, the claim of right had been asserted by the right honourable gentleman, in strong and lofty terms, but that the tone had been since somewhat lowered. He declared, he could see no possibility of the committee proceeding a single step farther, without knowing on what kind of ground they proceeded; and, therefore, it became indispensably necessary to have the question of right decided. The danger of the question originated in its having been stirred, not in its being decided; the danger of the stirring would be done away by the decision, but leaving it undecided, and equivocal, would be highly dangerous. The decision of both houses could be attended with no dissension, but, if the right of parliament was not confirmed, the

measures of both houses would be imputed, he feared, rather to motives of personal interest and convenience, than to a due regard for the interest of the country. The measures which he meant to propose were dictated by no other motive than an anxious desire, in conformity to his duty, to provide for the safety of the king, the rights of parliament, and the interests of the people.

Mr. Pitt, previous to the conclusion of his speech, adverted to what he described as the opinions stated by a noble lord * in another place, in contradiction to his assertion, that the Prince of Wales had no more right to assume the regency, than any other individual subject. He said, that he understood, that in arguing that matter, some very extraordinary modes of reasoning had been resorted to. Among other conceived proofs that the rights of the Prince of Wales were different from those of other subjects, it had been contended, that the Prince of Wales was, in an old record, quoted by Lord Coke, pronounced one and the same with the king. The fact certainly was so; but to draw from such a circumstance an argument, that the prince had a right to exercise the sovereign authority, under the present circumstances of his Majesty's unfortunate incapacity, was an inference so monstrous, that he should think he deserved censure for sporting with the gravity of the house, if he suffered himself to treat it with the least gravity whatsoever. In truth, a very different conclusion might be drawn from the whole of that record, the metaphorical language of which was not to be taken in a literal sense, in that or any other point of so much importance. Another position, laid down at the same time, and in the same place, was, that the Prince of Wales, as heir apparent, and being of full age, could assume the exercise of the sovereign authority, if his Majesty's infirmity had occurred when parliament was not sitting: but that doctrine had been so expressly contradicted in that house, by the right honourable gentleman opposite to him, when the subject was last agitated, that it was needless for him to say a syllable more relative to its nature. A third argument,

* Lord Rawdon,

urged in support of the prince's right, was, that a Prince of Wales, when he came to the crown, could sue out an execution, as king, in a cause in which he had obtained a judgment as Prince of Wales. But what was there decidedly conclusive in this position? The reason why the Prince of Wales had this advantage over other subjects, was obvious. If the son of a peer, who had maintained a suit in the courts in Westminster-hall, and obtained a judgment, succeeded to his father's honours before he had sued out an execution, he could not sue out an execution, without previously identifying himself, and satisfying the court that he was the same person who had prosecuted the suit, and obtained the judgment. And why was not the Prince of Wales obliged to do the same? For this plain reason, the courts of Westminster-hall are holden in the name of the king, and therefore, in his own courts, it must be a matter of notoriety, that, on the demise of the crown, the Prince of Wales had succeeded to it, and become king: but were these arguments multiplied ten times over, what did they prove? Merely that the prince had rights, of some sort or other, peculiar to himself; but did they prove, that he had a right to exercise the sovereign authority, on his father's incapacity, without the consent and declared approbation of the two remaining branches of the legislature? No more than a proof, that a man having an estate in Middlesex, was a proof that he had another in Cornwall, and a third in Yorkshire. In fact, all these arguments put together, regarded and considered with a reference to the point in dispute, whether the Prince of Wales, as heir apparent, had a right to exercise the sovereign authority, during the incapacity of his Majesty, were so irrelevant, so foreign to the question, and so perfectly absurd, that they were not to be relied on as law, even if they came from the mouth of a judge.

With respect to the strong and lofty assertion that had been at first made of the right of the Prince of Wales, as heir apparent, to assume the exercise of the sovereignty, it was sufficient to observe, that this doctrine was retracted. Upon this occasion, he should beg leave to recall the word and say, not retracted, but

disavowed. This reminded him of the precedent in the reign of Henry the Sixth, during which the Duke of Gloucester quarrelled with the Bishop of Winchester, which disagreement rose so high, and was carried so far, that at length the duke brought a criminal charge against the bishop, accusing him of having, in a former reign, advised the Prince of Wales, afterwards Henry the Fifth, to assume the sovereign authority in the life-time of his father, Henry the Fourth. Though this charge, if proved, would have been high treason, the bishop desired that it might be referred to the judges, and that its validity might be determined by the strictest investigation. The quarrel, however, was compromised, on grounds of personal convenience, and the charge never came to a legal decision.

Mr. Pitt having endeavoured, by many arguments, to establish the right of the two houses of parliament to provide the means of supplying the defect in the case of the king's incapacity to exercise the sovereign authority, expressed his hopes that he should impress the house with a conviction, that if they had a right, they had also a duty;—a duty, which neither their allegiance nor their affection to their sovereign would allow them to dispense with. It was their duty, at this time, not only unequivocally to declare their right, so that it might remain ascertained, beyond the possibility of all question hereafter, and become secured to posterity, but to proceed, without delay, to exercise their right, and provide the means of supplying the defect of the personal exercise of the royal authority, arising from his Majesty's indisposition. Upon no account did it appear probable, that their decision could either occasion a dissention between the two houses of parliament, or produce mischievous consequences of any kind whatsoever. On the contrary, if the right were not declared, as well as decided, it would appear that the two houses had made a compromise, unbecoming themselves, and had acted upon personal motives, rather than a due regard to the true interests of their country. Mr. Pitt then read his resolutions as follow:

I. “ That it is the opinion of this committee, That his Majesty is prevented, by his present indisposition, from coming to

his parliament, and from attending to public business, and that the personal exercise of the royal authority is thereby, for the present, interrupted.

II. "That it is the opinion of this committee, That it is the right and duty of the lords spiritual and temporal and commons of Great Britain, now assembled, and lawfully, fully, and freely representing all the estates of the people of this realm, to provide the means of supplying the defect of the personal exercise of the royal authority, arising from his Majesty's said indisposition, in such manner as the exigency of the case may appear to require.

Resolved, "That for this purpose, and for maintaining entire the constitutional authority of the king, it is necessary, that the said lords spiritual and temporal and commons of Great Britain, should determine on the means whereby the royal assent may be given in parliament to such bill as may be passed by the two houses of parliament, respecting the exercise of the powers and authorities of the crown, in the name, and on the behalf, of the king, during the continuance of his Majesty's present indisposition."

The first resolution was carried unanimously. Upon the second a long debate ensued, Lord North moving, as an amendment, "That the chairman leave the chair, report progress, and ask leave to sit again."

After Mr. Fox had spoken, Mr. Pitt rose to reply.

He observed, it was not without some astonishment that he discovered, that the right honourable gentleman* had thought proper, particularly in the latter part of his speech, to digress from the question of right, which was then before the house, in order to enter upon the question of expediency, and that not so much for the purpose even of discussing that expediency as to take an opportunity of introducing an attack of a personal nature on him. The house would recollect, whether the manner in which he (Mr. Pitt) had opened the debate, either provoked or justified this animosity. This attack, which the right honourable gentleman had just now made, he declared to be unfounded, arro-

* Mr. Fox.

gant, and presumptuous. The right honourable gentleman had charged him, as acting from a mischievous spirit of ambition, unable to bear the idea of parting with power, which he had so long retained; but not expecting the favour of the prince, which he was conscious he had not deserved, and therefore disposed to envy and obstruct the credit of those, who were to be his successors. Whether to him belonged that character of mischievous ambition, which would sacrifice the principles of the constitution to a desire of power, he must leave to the house and the country to determine. They would decide, whether, in the whole of his conduct, during this unfortunate crisis, any consideration which affected his own personal situation, or any management for the sake of preserving power, appeared to have had the chief share in deciding the measures he had proposed. As to his being conscious, that he did not deserve the favour of the prince, he could only say, that he knew but one way, in which he, or any man, could deserve it; by having uniformly endeavoured, in a public situation, to do his duty to the king his father, and to the country at large. If, in thus endeavouring to deserve the confidence of the prince, it should appear, that he in fact had lost it, however painful and mortifying that circumstance might be to him, and from whatever cause it might proceed, he should indeed regret it, but he could boldly say, that it was impossible he should ever repent of it.

The right honourable gentleman had thought proper to announce himself, and his friends to be the successors of the present administration. He did not know on what authority the right honourable gentleman made this declaration; but, he thought, that with a view to those questions of expediency, which the right honourable gentleman had introduced, both the house and the country were obliged to him for this seasonable warning of what they would have to expect. The nation had already had experience of that right honourable gentleman, and his principles. Without meaning to use terms of reproach, or to enter into any imputation concerning his motives, it could not be de-

nied, that they were openly and professedly active, on the ground of procuring an advantage, from the strength of a party, to nominate the ministers of the crown. It could not be denied, that it was maintained as a fundamental principle, that a minister ought at all times so to be nominated. He would therefore speak plainly. If persons, who possessed these principles, were in reality likely to be the advisers of the prince, in the exercise of those powers which were necessary to be given, during the present unfortunate interval, it was the strongest additional reason, if any were wanting, for being careful to consider, what the extent of those powers ought to be. It was impossible not to suppose, that, by such advisers, those powers would be perverted to a purpose, which it was indeed impossible to imagine that the Prince of Wales could, if he was aware of it, ever endure for a moment; but to which, by artifice and misrepresentation, he might unintentionally be made accessory, for the purpose of creating a permanent weight and influence, in the hands of a party, which would be dangerous to the just rights of the crown, when the moment should arrive, (so much wished, and, perhaps, so soon to be expected) of his Majesty's being able to resume the exercise of his own authority. The notice, therefore, which the right honourable gentleman in his triumph had condescended to give to the house, furnished the most irresistible reason for them deliberately to consider, lest in providing for the means of carrying on the administration, during a short and temporary interval, they might sacrifice the permanent interests of the country, in future, by laying the foundation of such measures, as might, for ever afterwards during the continuance of his Majesty's reign, obstruct the just and salutary exercise of the constitutional powers of government, in the hands of its rightful possessor, the sovereign, whom they all revered and loved.

The noble lord in the blue ribband,* like most of the gentlemen who had spoken on that side of the house, had argued, not against the truth of the resolutions, but the propriety

* Lord North.

of coming to them, and had waved any dispute on the question of right. The right honourable gentleman, though he affected, also, to object to the propriety of coming to this resolution, had directed his whole argument, as far as it went, to an invalidation of the truth of the proposition, and the maintenance of his former assertion, in favour of the existing right of the Prince of Wales. This line of argument, supported by such authority, was itself an answer to those who doubted the propriety of any resolution.

The right honourable gentleman had ventured to represent him, as having declined maintaining his former assertion, "That the Prince of Wales had no more right to the regency, than any other subject in the country," and he had also intimated, that he had thus retracted, in consequence of believing that not twenty persons would join in supporting that proposition. But it so happened, that he did not retract one single word of that assertion. Gentlemen might quarrel with the phrase, if they thought proper, and misrepresent it, in imitation of the right honourable gentleman, in order to cover the arguments used by a noble lord* in another place. But he was in the recollection of the house, whether when he first used the expression, he had not guarded it, as meaning to speak strictly of a claim of right, not of any reasons of preference, on the ground of discretion or expediency. He was also in their recollection, whether the right he spoke of was any other than the specific right in question, namely, the right to exercise the royal authority, under the present circumstances. He had maintained, that the prince had no such right. If the prince had not the right, he could not be said to have any more right than any other subject in the country. But was it any answer to the assertion, that as Prince of Wales he had no right to the regency, to say that he had other rights, different from the rest of the king's subjects, but which had nothing to do with the regency? Yet all the rights of the Prince of Wales, which had been mentioned by the noble lord alluded

* Lord Loughborough.

to, were of this description. It would be just as reasonable if the question were, whether any person had a right to a particular estate in Kent or Surrey? to argue, yes he has, for he has such and such an estate in Yorkshire, and in Cornwall. With regard to the question, whether twenty persons did or did not agree in his denial of the right of the Prince of Wales, he would put the whole on that issue, that if the Prince of Wales had any such right, the resolution he had moved could not be true; and he considered every person who differed from his assertion on that subject, as bound to vote against the present motion.

The right honourable gentleman, in discussing the question of right, chose also to remark, that the right of the two houses, and the right of the Prince of Wales, were to be considered as two rival rights, and that the only question was, in favour of which the arguments preponderated. He should be perfectly ready to meet the question on this issue, if it were the true one, for the right of the two houses was clearly supported, by precedent and usage, in every similar case, by express declarations of parliament, and by positive authority of law; yet, the right of the Prince of Wales was not even attempted to be supported on any of those grounds, but on pretended reasons of expediency, founded on imaginary and extravagant cases. In fact, this was not the fair issue of the argument. The right of the Prince of Wales was not to be considered as a rival right, to be argued on the same grounds as the other. It was a right which could not exist, unless it was capable of being expressly and positively proved; whereas, the right of parliament was that which existed of course, unless some other right could be proved to exclude it. It was that, which, on the principles of this free constitution, must always exist in every case, where no positive provision had been made by law, and where the necessity of the case, and the safety of the country, called for their interposition. The absence of any other right, was in itself enough to constitute the right of the two houses; and the bare admission that the right of the Prince of Wales was not clearly and expressly proved, virtually operated as an admission of every point under discussion.

The amendment was negatived upon a division;

Ayes 204

Noes 268

And the second and third resolutions were then put and carried.*

January 16, 1789.

THE House having, in pursuance of the order of the day, resolved itself into a Committee of the whole House, on the further consideration of the State of the Nation,

MR. PITT opened his remarks by expressing concern at perceiving that the particular situation of the country called upon

* The following correspondence passed between Mr. Pitt and his Royal Highness the Prince of Wales, during this interesting discussion:

Copy of Mr. Pitt's letter to His Royal Highness the Prince of Wales, left at Carlton House, on Tuesday Night, the 30th of December.

" SIR,

" The proceedings in parliament being now brought to a point, which will render it necessary to propose to the House of Commons, the particular measures to be taken for supplying the defect of the personal exercise of the royal authority during the present interval, and your Royal Highness having some time since signified your pleasure, that any communication on this subject should be in writing, I take the liberty of respectfully entreating your Royal Highness's permission to submit to your consideration the outlines of the plan which his Majesty's confidential servants humbly conceive (according to the best judgment which they are able to form) to be proper to be proposed in the present circumstances.

" It is their humble opinion, that your Royal Highness should be empowered to exercise the royal authority in the name and on the behalf of his Majesty, during his Majesty's illness, and to do all acts which might legally be done by his Majesty; with provisions, nevertheless, that the care of his Majesty's royal person, and the management of his Majesty's household, and the direction and appointment of the officers and servants therein, should be in the Queen, under such regulations as may be thought necessary. — That the power to be exercised by your Royal Highness should not extend to the granting of the real or personal property of the King, (except as far as relates to the renewal of leases) to the granting of any office in reversion, or to the granting, for any other term than during his Majesty's pleasure, of any pension, or any office whatever except such as must by law be granted for life, or during good behaviour; nor

them to exercise a right that had devolved upon them in consequence of the melancholy situation of his Majesty, which rendered him incapable of exercising the royal authority. Upon the present distressful occasion, it behoved them to provide the

to the granting of any rank or dignity of the peerage of this realm to any person except his Majesty's issue, who shall have attained the age of twenty-one years.

"These are the chief points which have occurred to his Majesty's servants. I beg leave to add, that their ideas are formed on the supposition that his Majesty's illness is only temporary, and may be of no long duration. It may be difficult to fix before-hand, the precise period for which these provisions ought to last; but if unfortunately his Majesty's recovery should be protracted to a more distant period than there is reason at present to imagine, it will be open hereafter to the wisdom of parliament, to reconsider these provisions, whenever the circumstances appear to call for it.

"If your Royal Highness should be pleased to require any farther explanation on the subject, and should condescend to signify your orders, that I should have the honour of attending your Royal Highness for that purpose, or to intimate any other mode in which your Royal Highness may wish to receive such explanation, I shall respectfully wait your Royal Highness's commands.

"I have the honour to be,

"With the utmost deference and submission,

"SIR,

"Your Royal Highness's

"Most dutiful and devoted Servant,

"Downing Street,

"W. PITT."

"Tuesday Night, Dec. 30, 1788."

Copy of the Paper delivered by the Prince of Wales to the Lord Chancellor, in reply to the letter sent to his Royal Highness from Mr. Pitt.

"THE Prince of Wales learns from Mr. Pitt's letter, that the proceedings in parliament are now in a train which enables Mr. Pitt, according to the intimation in his former letter, to communicate to the Prince the outlines of the plan which his Majesty's confidential servants conceive to be proper to be proposed in the present circumstances.

"Concerning the steps already taken by Mr. Pitt, the Prince is silent. Nothing done by the two houses of parliament can be a proper subject of his animadversion; but when previously to any discussion in parliament, the outlines of a scheme of government are sent for his consideration, in which it is proposed that he shall be personally and principally concerned, and by which the royal authority and the public welfare may be deeply affected, the

means of supplying the deficiency: but, in doing so, he trusted that it must be the wish of every gentleman, that they should proceed in the manner the best calculated to give general satisfaction, and the most likely to secure the approbation of the

Prince would be unjustifiable, were he to withhold an explicit declaration of his sentiments. His silence might be construed into a previous approbation of a plan, the accomplishment of which every motive of duty to his father and sovereign, as well as of regard for the public interest, obliges him to consider as injurious to both.

“In the state of deep distress in which the Prince, and the whole Royal Family were involved, by the heavy calamity which has fallen upon the King, and at a moment when government, deprived of its chief energy and support, seemed peculiarly to need the cordial and united aid of all descriptions of good subjects, it was not expected by the Prince, that a plan should be offered to his consideration, by which government was to be rendered difficult, if not impracticable, in the hands of any person intended to represent the King’s authority, much less in the hands of his eldest son—the heir apparent of his kingdoms, and the person most bound to the maintenance of his Majesty’s just prerogatives and authority, as well as most interested in the happiness, the prosperity, and the glory of the people.

“The Prince forbears to remark on the several parts of the sketch of the plan laid before him; he apprehends it must have been formed with sufficient deliberation to preclude the probability of any argument of his producing an alteration of sentiment in the projectors of it. But he trusts, with confidence, to the wisdom and justice of parliament, when the whole of this subject, and the circumstances connected with it, shall come under their deliberation.

“He observes, therefore, only generally on the heads communicated by Mr. Pitt—and it is with deep regret the Prince makes the observation, that he sees, in the contents of that paper, a project for producing weakness, disorder, and insecurity in every branch of the administration of affairs.—A project for dividing the Royal Family from each other—for separating the court from the state; and therefore, by disjoining government from its natural and accustomed support, a scheme for disconnecting the authority to command service, from the power of animating it by reward; and for allotting to the Prince all the invidious duties of government, without the means of softening them to the public, by any one act of grace, favour, or benignity.

“The Prince’s feelings on contemplating this plan, are also rendered still more painful to him, by observing that it is not founded on any general principle, but is calculated to infuse jealousies and suspicions (wholly groundless, he trusts) in that quarter, whose confidence it will ever be the first pride of his life to merit and obtain.

people, which, he had the happiness to know, had generally attended every step which they had hitherto taken. He sincerely wished that every measure which he should have the honour to propose, might be fully discussed, and fairly decided upon; that

“With regard to the motive and object of the limitations and restrictions proposed, the Prince can have but little to observe. No light or information is offered him by his Majesty's ministers on these points. They have informed him what the powers are which they mean to refuse him, not why they are withheld.

“The Prince, however, holding as he does, that it is an undoubted and fundamental principle of this constitution, that the powers and prerogatives of the crown are vested there, as a trust for the benefit of the people; and that they are sacred only as they are necessary to the preservation of that poise and balance of the constitution, which experience has proved to be the true security of the liberty of the subject—must be allowed to observe, that the plea of public utility ought to be strong, manifest, and urgent, which calls for the extinction or suspension of any one of those essential rights in the supreme power, or its representative; or which can justify the Prince in consenting, that, in his person, an experiment shall be made to ascertain with how small a portion of the kingly power the executive government of this country may be carried on.

“The Prince has only to add, that if security for his Majesty's re-possession of his rightful government, whenever it shall please Providence, in bounty to the country, to remove the calamity with which he is afflicted, be any part of the object of this plan, the Prince has only to be convinced that any measure is necessary, or even conducive, to that end, to be the first to urge it as the preliminary and paramount consideration of any settlement in which he would consent to share.

“If attention to what it is presumed might be his Majesty's feelings and wishes on the happy day of his recovery, be the object, it is with the truest sincerity the Prince expresses his firm conviction, that no event would be more repugnant to the feelings of his royal father, than the knowledge that the government of his son and representative had exhibited the sovereign power of the realm in a state of degradation, of curtailed authority, and diminished energy—a state, hurtful in practice to the prosperity and good government of his people, and injurious in its precedent to the security of the monarch, and the rights of his family.

“Upon that part of the plan which regards the King's real and personal property, the Prince feels himself compelled to remark, that it was not necessary for Mr. Pitt, nor proper, to suggest to the Prince the restraint he proposes against the Prince's granting away the King's real and personal property. The Prince does not conceive, that, during the King's life, he is, by law, entitled to make any such grant; and he is sure, that he has never shewn the

the nature of the case, the general principles on which they ought to proceed, and the application of those principles, might be clearly and distinctly pointed out. In so doing, they would be best enabled to meet the emergency which called upon them, and to provide for the defect of the personal exercise of the royal authority.

The business of the committee lay in a very narrow compass, notwithstanding the voluminous reports on the table. In the report last delivered, there was abundant matter of confirmation to him of the propriety and prudence of those measures which he was, as the committee were aware, prepared to have proposed to them nearly ten days ago. But, though there was much material information in that report, there was no difference, in his opinion, in the ground of what he had to offer, as, on the former day, as well as on the present, the committee had more information before them than was sufficient to bear out all that he should submit to their consideration. Had he, on the former day, felt it necessary to state the ground on which he intended to have built his proceeding, he should have stated it thus, "That his Majesty was incapable of meeting his parliament, or smallest inclination to possess any such power. But it remains with Mr. Pitt to consider the eventual interests of the Royal Family, and to provide a proper and natural security against the mismanagement of them by others."

"The Prince has discharged an indispensable duty, in thus giving his free opinion on the plan submitted to his consideration."

"His conviction of the evils which may arise to the King's interests, to the peace and happiness of the Royal Family, and to the safety and welfare of the nation, from the government of the country remaining longer in its present maimed and debilitated state, outweighs, in the Prince's mind, every other consideration, and will determine him to undertake the painful trust imposed upon him by the present melancholy necessity (which of all the King's subjects he deploras the most) in full confidence, that the affection and loyalty to the King, the experienced attachment to the house of Brunswick, and the generosity which has always distinguished this nation, will carry him through the many difficulties, inseparable from this most critical situation, with comfort to himself, with honour to the King; and with advantage to the public."

"Carlton House,

"January 2, 1789."

attending to public business ; that the unanimous opinion of his physicians was, that his Majesty's recovery was more probable than the contrary, and that all the physicians agreed that it was impossible to ascertain when that so much wished-for event might take place ; but that those, who were more immediately conversant with the disorder with which his Majesty was afflicted, had declared that the majority were cured ; and that one of the physicians, the most conversant of any, had stated, that the greatest length of time which he had ever known the disorder to continue, was a year and a half, or two years, that the shortest was three months, and that the average five or six months." In saying even that, he should have said more than was necessary for any argument on the principle on which he went. What they had to provide for, therefore, was no more than an interval, and he flattered himself that it would prove but a short interval. If, however, unfortunately, his Majesty's illness should be protracted, they might leave it to parliament to do what was at present clearly unnecessary—to consider of a more permanent plan of government. If they regarded the disorder not in itself incurable, every man must admit that the provisions ought not to be permanent. Mr. Pitt now recapitulated what had passed concerning the subject upon the Tuesday se'nnight, and the line of argument that had been adopted, which rendered it impossible for him to avoid giving way to a more narrow and minute enquiry than had before taken place ; and, however he might feel pain on account of some particular points which had passed in the committee, he could not, upon the whole, but rejoice that he had given way, as it now appeared that the argument on which the right honourable gentleman over against him had relied, viz. that, because a month had elapsed since the former inquiry, his Majesty's cure was to be considered as the more improbable, was not grounded ; and as, however much the physicians disagreed in other points, they were unanimous that the probability of the cure rested precisely on the same grounds as before ;—a circumstance which, he was persuaded, would give as much pleasure to the right honourable gentleman as it had done to himself.

With regard to the difference of opinion between the physicians, as to the prospect of a recovery, it appeared to him to depend on two circumstances, by which it could be decided on whose opinion the greatest reliance ought to be placed. The first circumstance was the knowledge of the malady in general; and the second the knowledge of the particular case of the patient. Three of his Majesty's physicians had been conversant with the malady. Two others, though not so conversant, were well acquainted with his Majesty's habits. These two (Sir George Baker and Dr. Warren) attended his Majesty for two hours each day; the three others from the evening until eleven in the forenoon. Surely, it was natural for those who attended his Majesty most, to be the best judges of his situation; and it was remarkable that Dr. Warren and Sir George Baker were the least confident of a cure, and the other doctors had much greater hopes; but Dr. Willis, who attended his Majesty more than any of the others, was more sanguine than them all. Sir Lucas Pepys stated circumstances which did not amount to a certainty of a cure, but which proved an abatement of his Majesty's disorder. Dr. Willis was of opinion that all the symptoms since the time of the last examination, were more favourable. In a word, all the physicians agreed in the probability of his Majesty's recovery, and that the length of the time had made no unfavourable change: those, too, who understood the disorder best, thought it more favourable.

For his own part, he wished not to go at length into the particulars of the last report, on which the committee might safely rely, as there were those on the committee who were anxious to sift, with the most scrupulous accuracy, every point likely to prove his Majesty's recovery. There had been those who gave no considerable degree of credit to Dr. Willis; if, therefore, any observations should arise from them, he conceived that they would be made in the same spirit, and with the same ability, as when they were urged in the committee above stairs. Upon this occasion, he felt it but common justice to commend the skill, integrity, and good sense of Dr. Willis, which were evinced under a severe cross-examination, calculated to puzzle simplicity,

and leave the coolness which should, of necessity, accompany the delivery of evidence, too unguarded. However it might suit with the political intrigue of the times, or be convenient to circulate them at present in London and its environs, he would not anticipate the remarks which might be made; but, if there were any such remarks to be advanced, he desired, if they chose to discuss the credit of either this or that physician, that they might understand the nature of the imputation. In the course of the inquiry above stairs, a circumstance had come out, over which he would not draw a veil of delicacy, as he was not ashamed to bring it forward. If it be stated to the discredit of any physician, that he had submitted to be unduly influenced by a great personage, let the committee know to what physician the imputation of having consented to give an untrue account of the state of his Majesty's health applied: if an impropriety of transaction like that was imputed, he would not believe it till it was distinctly *ventural* to be said, and when he used the term *venture*, he did not mean to use it with regard to the exalted station of the person in question, but with regard to the transaction itself; nor did he (he repeated it) believe that any man would *venture* to charge blame of any kind on the respectable personage in question, who had lived for almost thirty years in this country without traduction, a pattern of the most unexampled affection, domestic tenderness, and virtue; against whom the breath of calumny had not dared to send forth even a whisper; and who could not merit it at a moment, when visited by a calamity which rarely befalls a private person, but which surely was not a little aggravated when it becomes the lot of the family of a person in so exalted a rank as the sovereign of the country. As to the fact itself, it appeared that Dr. Warren allowed that apparent circumstances of an amendment began to appear; and there was, in consequence, a wish on the part of her Majesty that the report might be such as should give the public the most favourable account of his Majesty's health; but would any man prove that any undue influence had been used for that purpose? Mr. Pitt explained in what manner the words, *a comfortable way*, had

been introduced into the report, and then spoke of Dr. Willis, declaring that he was known in the country where he lived, by his character, and by the happiness which he had been the means of giving to the numerous families who were bound to bless him for the good effects of his skill. He mentioned another physician, whose character was likewise high, but declared that, if he wished to draw a true conclusion of his Majesty's state of health, and prospect of recovery, he would wish to draw it from Dr. Willis, more than from any other physician.

At length, Mr. Pitt adverted to the situation for which they were to provide, and this situation was no less than the cessation of the personal exercise of the royal authority; a deficiency for which no previous provision had been made. As the cause of this deficiency, he had every reason to think, would prove but temporary, they must deliberately consider what were the cases for which they were to apply a remedy. The first object for which they had to provide, was to secure the establishment of a government in the country, equal to its safety and the dispatch of public business. Out of the nature of such a provision another duty arose, of equal importance to the other; and this was, to take care that the measure embraced did not go beyond the necessity of the case. The committee were to provide powers for the exercise of the government, and they must take care to place those powers in proper hands; but, above all things, to recollect that they were not placing a king on the throne. They were to remember that the throne was full, that no right any where existed to exercise the royal authority, but that which was conferred by that house; they were to take care to provide against any embarrassment in the resumption of the regal authority, whenever God in his providence should permit the rightful holder again to exercise it. They were to provide only for the necessity of the case, and not to exceed it; and therefore the measures which he should propose, would be to invest his royal highness the Prince of Wales with the whole royal authority, to be exercised in the name, and on the behalf of his Majesty, under such limitations and restrictions only as should be provided.

The principle was not new, although the circumstances of the case happened to be unprecedented. No man would say, that the same power which the principal exercised ought to be given to the delegate; and if the house referred to precedents, they would find that no one instance could be met with of the whole of the royal prerogatives having been so delegated. On the contrary, every precedent which bore the smallest analogy to the present situation, evinced the direct contrary, and that, doubtless, with a view to facilitate and ensure the resignation of the delegate, when the principal should be competent to exercise or to resume his authority. Referring them to the act of Queen Anne, (the act of succession) the regency act of George the Second, and the regency act of the present king, Mr. Pitt added, let them look to the case of a sovereign disabled by infancy. Was the regent of the country invested with full and unlimited power to exercise the royal authority? Undoubtedly not. In the three regency bills in the statute books to which he adverted, were there not limitations? There were in every one. All the powers might be given, but then they were not given to one person. What was the principle in a case of minority? It was thought unsafe to vest all the powers in one person. He laid particular stress on the regency bill in the reign of George the Second, and observed, that there appeared at that time to have been a wish on both sides of the house to doubt what confidence should be placed in the regent. They were afraid of making a precedent, and therefore they gave the royal powers among many, appointing a council, without whose consent the regent could take no important step whatever. The will of the predecessor was, by one of the bills, to be the system followed, while the heir apparent continued a minor;—a principle which he owned he thought went too far, although it was a plausible principle, and was apparently most applicable to the present case. After reasoning upon the three different precedents, and touching upon the short protectorate of Richard the Third, and the other protectorates or guardianships in the earlier periods of our history, and endeavouring to demonstrate by argument, that as, in no

preceding instance, all the powers of royalty were given to one person, so, in the present instance, which certainly differed most essentially, they ought not to be, nor could they be, trusted in the hands of one person, without proving a hazardous, and, possibly, a prejudicial experiment, he declared that he would give his vote for investing the regent with all the powers which are necessary, but would not agree to give any which were not requisite to carry on the government of the country with energy and effect.

Mr. Pitt now observed, that he need not trouble the house with his first resolution, as he had already stated its substance and effect. The second resolution (which he read,) was to restrain the regent from exercising one branch of the prerogative peculiarly inherent in the crown, and this was, the power of granting peerages, excepting to his Majesty's sons, being twenty-one years of age. This restriction he thought necessary, as the regent ought not to confer any grant which might produce difficulties and embarrassments, when the happy hour of his Majesty's restoration to his health should arrive. The object of investing the crown with the power of creating peers, was to enable the sovereign to distribute rewards to eminent merit, and to give the crown the means of choosing persons who should add to the number of one of the branches of the legislature. The creation of peers was one of those powers which belonged personally to the king. When he made this assertion, he scarcely meant to inculcate that it was the individual right of the king to create peers, but that it was an especial prerogative of the crown. He enumerated the grounds on which he conceived that the crown might exercise the privilege of making peers, and described what he regarded as the inconveniences which might follow from the regent having the power to make peers, contending it was possible that the consequence of the house of lords might be lost, the system of the country overturned, and the government end in a pure monarchy, an aristocracy, an oligarchy, or some resource equally distant from our present constitution. He desired, if he failed to enumerate any particulars connected with

any part of the subject, to have them pointed out to him. He reasoned upon the sort of effect which (as he supposed) might arise from depriving the regent of the power of creating peers, merely for a time, observing, that surely it would not be contended, that for want of such an incentive for a few months, the country was likely to be deprived of the service of men of merit. If his Majesty recovered, as they all hoped, and had reason to expect he would, the power of creating peers might be exercised by the rightful holder of the prerogative; but, if unfortunately his Majesty should grow worse, and be pronounced not likely to recover for a long time, parliament would have it in its power to take off the restriction, and vest the regent with a power, which, though not at present, he was ready to admit might in time become necessary to the carrying on of a powerful government. He mentioned the fluctuation of wealth and property in the country, and the propriety of occasionally raising monied men to the peerage, in order to give the landed interest its fair balance and share of the honours in the power of the crown to bestow. He alluded also to the sort of hands into which the conduct of public affairs was likely to fall, and said that, unless they had reason to expect a desperate confederacy and cabal to obstruct the public measures, he saw no sort of inconvenience which could result from a temporary withholding from the regent the power of making peers. As an abuse of the prerogative of making peers, he urged the possibility of such another confederacy and cabal forming, (as had been convicted of a design to overthrow the constitution a few years since) who might give the regent advice which the crown would probably have rejected, and such a number of peers might be created, as might considerably embarrass the crown in carrying on the government, when his Majesty should be restored to his health. For his own part, he meant to make no professions, but he desired that what he was going to say might be considered as the test of his future conduct; and, he declared, that he should not be found an opposer of the just and wise measures of the new government, which would remain to be discussed hereafter. He urged other

arguments in the attempt to prove that the withholding of the power of making peers for a time was what they owed to the real interests of the country and the true sovereign ; that it could not become prejudicial to the regent's government ; and if it should threaten to grow detrimental, they would have the remedy in their own hands ;—a principle which was coupled with that of doing nothing beyond the real necessity of the case. At the first view, the principles which he had laid down might be supposed not to confine themselves merely to one branch of the legislature, and it could be contended, that, as the present house of commons had proved themselves so loyal to their sovereign, and attentive to the interests of his people, his Majesty would be happy to receive the congratulations of the same house of commons on his recovery ; but a little more consideration would shew, that this would perhaps be reserving from the people an opportunity of shewing their sense of the conduct of their representatives ; and no danger could accrue to the sovereign in sending them back to their constituents, if the regent should deem it wise or proper to embrace the measure, especially to a people whose loyalty had been so conspicuously manifested by the general and heartfelt sorrow expressed throughout the kingdom, in consequence of his Majesty's melancholy situation and illness.

He now read the third resolution, which was a restriction preventing the regent from allowing any grant, patent place, reversion, or annuity for life, excepting in particular, unavoidable cases, such as to judges, and others. As this resolution ran so much upon the principle of the preceding one, Mr. Pitt said that it was unnecessary for him to go into farther explanation of it. The fourth resolution restrained the regent from exercising any power over the personal property of the king. Mr. Pitt on this occasion observed, that he scarcely thought it necessary to pass this resolution, as it was not probable that his royal highness would interfere with his Majesty's personal property in his life time ; but, as they were acting upon parliamentary principles, he thought it his duty to submit it to the committee. The last resolution would be for entrusting the care of the royal per-

son, during his Majesty's illness, where of course all men would be unanimous in agreeing that the royal person ought to be placed, in the guardianship of the Queen; and, with this trust, his intention was, to propose to put the whole of his Majesty's household under the authority of her Majesty, investing her with full powers to dismiss and appoint, as she should think proper. Without being invested with this control, he imagined that the Queen could not discharge the important trust committed to her care. He spoke of the officers of high rank in the household, who, though their places might justly draw forth the ambition of men of the first rank and family in the kingdom, were nevertheless only the first menial servants of his Majesty, and actually necessary to direct and superintend the greater part of his Majesty's household. He stated that these officers, such as the master of the horse, lord chamberlain, lord steward, and others, were, by many, thought high officers of state; but the fact was otherwise; they were the menial servants of the crown, and essential to its dignity and splendor. He argued against new-modelling the royal household, under the present circumstances, and spoke of the anxiety and pain which he conceived it must give his Majesty, to find all those whom he had chosen to be about his royal person discharged. Possibly, his Majesty's illness might continue but a few months, perhaps a few weeks; and in such a situation, would it, he asked, be delicate and respectful to make a change? Those who were lords of the bed-chamber, he admitted, did no great duty at present, but the equerries were employed. He owned, that this part of the arrangement was a matter of some difficulty; but when he considered what his Majesty would feel, when he waked from his trance of reason, and asked for those attendants, and was told that his subjects had taken advantage of his momentary absence of mind, and changed them, he flattered himself that no gentleman would object to such a mark of attention being paid to his Majesty. The regent, indeed, was different from the King; but, at the same time, the regent ought to have a retinue adequate to the importance and the high rank of his station; and he meant to propose that he

should have such a retinue, which would unquestionably be some increase of expense to the country; but, as it was unavoidably necessary to appoint a regent, it was equally necessary to maintain the dignity of the character, and gentlemen would not, he conceived, grudge a little expense on such an occasion. He recurred again to the power to be lodged in the hands of the Queen, and urged the necessity of considering the rank of the King, the rank of the Prince of Wales, and the rank of the Queen, who was consort of the sovereign, and mother of the regent. It was not to be supposed, therefore, that the influence arising from the patronage holden by the Queen, would operate to the detriment of the regent's government; and, surely, to conceive as much, would be equally indecent and improper.

Mr. Pitt concluded with moving, "That it is the opinion of this committee, that, for the purpose of providing for the exercise of the King's royal authority, during the continuance of his Majesty's illness, in such manner, and to such extent, as the present circumstances of the urgent concerns of the nation appear to require, it is expedient that his royal highness the Prince of Wales, being resident within the realm, shall be empowered to exercise and administer the royal authority, according to the laws and constitution of Great Britain, in the name and on the behalf of his Majesty, under the style and title of regent of the kingdom, and to use, execute, and perform, in the name, and on the behalf of his Majesty, all authorities, prerogatives, acts of government, and administration of the same, which belong to the king of this realm, to use, execute, and perform, according to the law thereof, subject to such limitations and exceptions as shall be provided."

On the first resolution being read, Mr. Powys moved as an amendment, to leave out all the words after the word "illness," and to insert, "And preserving the constitution of Great Britain undisturbed, and the dignity and lustre of the crown unimpaired, his royal highness the Prince of Wales be appointed, during the present indisposition of his Majesty, and no longer, in the name of the King, and in his stead, to exercise and administer, according to the laws and constitution of Great Britain, the regal power and governa-

ment, under the style and title of Regent of the Kingdom, and to use, execute, and perform, all prerogatives, authorities, and acts of government, which might have been lawfully used, executed, and performed, by the Regent and Council of Regency, constituted and appointed by an act of the 5th of his present Majesty, cap. 27."

The committee divided on Mr. Powys' amendment, which was rejected,

Ayes 154

Noes 227

the original resolution then passed.

Another division took place on the second resolution,

For it 216

Against it 159

all the other resolutions, except that respecting the King's household, were then severally put and carried.

January 19, 1789.

THE House again resolved itself into a Committee of the whole House, on the further consideration of the State of the Nation.

MR. PITT, in rising, observed that he had to claim the attention of the committee whilst he spoke more particularly than he had before done, to the fifth resolution which he should have the honour to propose for their consideration. The foundation upon which he had gone, for all the measures he had proposed, was the exigency of the case; they were bound to provide the means for the dispatch of public business, and for the discharge of the executive authority: they were also equally bound to two other objects; the care of the royal person of his Majesty, and the preservation of his dignity, which ought to be inseparable from him during his present indisposition. With a view to both, but especially the latter of these points, the last resolution had proceeded. On the first he would but lightly dwell, conceiving that all must agree to the care of his Majesty's person being entrusted to the Queen. He would not for a moment entertain an opinion, that to her guardianship there could exist the least objection. He would not anticipate, because he did not believe, the existence of a difference of opinion on that subject; he therefore

thought it unnecessary and difficult to argue, as it appeared to be like debating on a self-evident proposition; for under the character, under the virtue, and under the feelings, of that great and amiable personage, he was confident there would hardly be a heart in the country, which, while it deplored the fatal and melancholy necessity that existed, would not at the same moment feel a considerable degree of support and alleviation, in the remembrance that, under such guardianship, with so much propriety and safety, might be entrusted the care of the sovereign. He would avoid expatiating upon that subject, feeling it not respectful to the committee to argue on a propriety of conduct so self-evident, until he should hear, if it were possible to be heard, an argument against the propriety of delegating such a trust.

The next point of the resolution which he should have to offer, and on which he presumed they might differ, concerned the powers given to the Queen to discharge such a trust, on the one hand, and, on the other, to maintain the dignity of his Majesty's person. The committee would be pleased to recollect, that, while they were delegating part of the executive authority to be exercised in the King's name, they were bound to provide for the safety of their King, that it might appear they had not forgotten that he was still their sovereign; and that the representatives of a faithful and loyal people ought not to endeavour to deprive his Majesty, in his present melancholy situation, of that dignity which he enjoyed at the moment of health. On that ground, Mr. Pitt observed that he submitted the principle on which he went, contending, that it was necessarily inseparable from her Majesty, in the care to be entrusted to her, to have the whole direction of all about the person of the King. The lord steward, the lord chamberlain, and the master of the horse, could only be considered as the great leading parts of the several divisions of the household; and, therefore, the only question which could arise on the propriety of their being under the direction of the Queen was, whether the alteration of circumstances rendered it a becoming point, that any alteration should be made in the expense or duty of such officers, as would with the least degree of

decency countenance the parliament, in the present situation of his Majesty, (which could be considered but as a temporary, and which all hoped might prove of short duration,) in the attempt to new-model his household, and degrade it into a predicament less familiar to his dignity? and whether the management of his Majesty's domestic affairs should still remain to be carried on through the same hands to which it had been for some time entrusted, or whether a new management was to be introduced, during the present temporary interval? The noble lord in the blue ribband,* who could not help speaking with ingenuity, and who possessed much real information, but who, on a former day, had only displayed his ingenuity, and withholden his information, had told them of the ease with which those officers might be separated from the household; but he wished to ask this question, Whether it would prove decent at such a moment, thus early, and with the well-grounded hopes of a recovery, to try the experiment, how far they might new-model and limit his Majesty's household? He maintained, that it was not consistent with the affection of the people, at such an anxious period, to hazard experiments, in order to introduce a new system. [A cry of "Hear! hear!" prevailing] — Mr. Pitt expressed his hopes, that the noble lord, and those who noticed his assertion, would attempt to prove to the committee, in a manner at least as rational, consistent, and parliamentary, the contrary; but, for what he asserted, he appealed not only to the feelings, but to the reason of the committee. It was an appeal which, the more it was considered, would be found the more to deserve the attention of that house. He wished to ask, whether it was expedient to annihilate every appearance of external dignity? whether it was consistent with reason and sound policy, at the moment when the sovereign was incapacitated from exercising his authority, to separate all appearance of sovereignty from his present situation? When these questions should be considered, he could not see how it was possible to deny the propriety of allotting the direction of the household to her Majesty; or to assert, that the

* Lord North.

preservation of the external dignity of the King was inconsistent with the duty of the people.

The general ground on which they had heard it objected against was, that such a power being entrusted to her Majesty, would form so large an influence, and so extensive a patronage, as to render it impossible that any government should be carried on with the least effect. For that, however, he should reserve his remarks until he should hear it more fully explained. He would nevertheless speak shortly on the argument on which this principle turned. It supposed that a degree of political influence would necessarily follow patronage. He admitted that a degree of political influence, likely to be exercised, was an evil. He wished however to ask those gentlemen who contended against the power that the proposed establishment might create, whether establishments had not been created, much more likely to have been exercised against the executive authority? When gentlemen recollected that such establishments had been formed, he did not take too much upon himself, when he contended, that what had not been denied to branches of the royal family, ought not to be denied to the sovereign himself, while labouring under temporary illness;—an argument that reverted to the propriety of continuing to his Majesty his establishment. If gentlemen disagreed to such a continuance of his Majesty's household, if they were less regardful of his Majesty's dignity at the present moment, than when in health, it would be expected from them to shew their reasons, and state the danger of such patronage, as would be obtained by the necessary powers, for a temporary, and perhaps a short interval. The argument of the danger of the patronage turned upon the supposition, that those who were now in his Majesty's service, would act in opposition to another administration. If that was offered as an argument against the restrictions, he denied the truth of it. Suppose, for a moment, and for the sake of argument, that such a conduct was likely to be pursued. A factious opposition, he was bold to say, they would never engage in; he wished not, however, that any man should rest on his assertion, or upon the assertion of any other

man : it was public conduct alone which spoke to the people the conduct of public men. He then wished to ask, whether, if they pursued the conduct of a desperate faction or cabal, it was likely that they should meet with support from the people, support equal to that which they had received while in government ? Was it likely that such a faction should be supported by the authority of the country at large, which depended on the independent members of that house, and on the people ? Whatever might be the patronage annexed to the powers proposed to be granted to her Majesty, he wished to ask, whether it was likely that the patronage entrusted to such hands, would be granted to enable a faction to obstruct with its weight the government of the regent ? Was it likely, if so given, that it could make it predominant to the accumulated patronage of government ? Or, did it appear probable, that the Queen would support a faction, thus to oppose the wise and prudent measures of the government of her son ? Was it likely that his Majesty's ministers, in the present calamitous and distracted state of affairs, forgetful of their duty to their country, forgetful of their duty to the constitution, and forgetful of their duty to him, whose dearest interest was the welfare of his empire, would neglect the interest of the people, to form a factious opposition, in order to obstruct the necessary measures of government ? Could it be supposed, that persons standing in such a situation, would factiously unite to the injury of a country, or of a government, to which they might, on his Majesty's recovery, again be called, and the interest of which it had appeared to be, and ever would be, their honour and ambition to advance ? He wished again to ask, whether, in the situation in which her Majesty was placed, it appeared likely that she should support such a faction as he had described ? It was an idea which he did not believe was felt or imagined by any one, and on which he therefore would not dwell any longer. It was due to his Majesty from a loyal people, not to destroy that system which his Majesty had adopted for the management of his household. The committee ought not to destroy the dignity due to his Majesty ; and the care of his Majesty, and the government of the household, ought to be entrusted to the Queen.

Mr. Pitt proposed the following question:—"That the care of his Majesty's royal person, during the continuance of his Majesty's illness, should be committed to the Queen's most excellent Majesty; and that her Majesty should have power to remove from, and nominate and appoint such persons as she shall think proper to the several offices in his Majesty's household, and to dispose, order, and manage, all other matters and things relating to the care of his Majesty's royal person, during the time aforesaid. And that for the better enabling her Majesty to discharge this important trust, it is also expedient that a council should be appointed to advise and assist her Majesty in the several matters aforesaid, and with power, from time to time, as they may see cause, to examine, upon oath, the physicians and others touching the state of his Majesty's health, and all matters relative thereto."

The motion, after a division, was carried;

Ayes - - - - 229

Noes - - - - 165

March 2, 1790.

Mr. Fox, in pursuance of the notice he had given, this day brought forward his motion for the repeal of the Test and Corporation acts,—concluding a long and eloquent speech with moving, "That the House will immediately resolve itself into a Committee of the whole House, to consider of so much of former acts as requires persons, before their admission into any office, civil or military, or any place of trust under the Crown, to receive the sacrament of the Lord's supper, according to the rites of the Church of England."

MR. PITT, in rising, declared, that he was anxious to deliver his sentiments at that early period of the debate, in reply to the right honourable gentleman,* on the present important question under discussion. He had, he said, stated his objections, on former occasions, to the motion; he should still continue to pursue the same line of conduct, with this difference only, that he was but the more strengthened and confirmed in his former

* Mr. Fox.

opinions upon the subject, and should therefore now restate them with greater force and confidence.

He considered both himself and the house under great obligation, however, to the right honourable gentleman, for his clear and candid statement of the precise object of the dissenters, in their present application; he had completely unravelled the mystery in which their views had been enveloped; and in a plain, open, and manly manner, had exhibited the full extent to which his motion was intended to be carried. Had it ever been possible for him to be at a loss on the subject, his doubts must now forsake him. The important question at issue was simply and plainly this: Whether the house ought or ought not to relinquish at once those acts which had been adopted by the wisdom of our ancestors, to serve as a bulwark to the church, whose constitution was so intimately connected with that of the state, that the safety of the one was always liable to be affected by any danger which might threaten the other? He, for one, was clearly convinced that we ought not to relinquish those great and fundamental principles upon which the prosperity of the state so much depended.

The right honourable gentleman's sentiments on the general principles of dissention and toleration coincided with his own; yet, he must take leave to differ from him in his definition of toleration, which he had carried to an extent which, in his opinion, it would not bear. Toleration could, by no means, be considered as an equality; for it only consisted in a free exercise of religious tenets, and in the enjoyment of the protection of the laws. The dissenters had a right to enjoy their liberty and their property; to entertain their own speculative opinions, and to educate their offspring in such religious principles as they approve. But the indispensable necessity of a certain permanent church establishment, for the good of the state, required that toleration should not be extended to an equality; for that would inevitably endanger such an establishment. Upon the supposition that every class of dissenters, agreeably to the extent of the right honourable gentleman's prin-

ciples, were admitted to a full and complete equality of participation, those would be admitted, who might conscientiously think it their duty to subvert the establishment; for not only Roman catholics, but also papists who acknowledge the supremacy of a foreign ecclesiastical prince, were not to be excluded until the commission of some overt act against the constitution. If this were once to be done, there would be an end for ever put to the wise policy of prevention, and a dangerous door would be opened to the absolute ruin of the constitution. He was ready to admit, that no citizen of a free state ought to be subject to any punishment for his speculative opinions; nor should even the publication of them, with moderation and decency, fall under the cognizance of the civil power: but he contended that the interest of individuals claiming pecuniary rewards, or lucrative employments, was very different from this, and that the public safety required, in his opinion, such a species of security for an establishment, as the test laws prescribed. Our very constitution had been saved by virtue of their sanction: had it not been for such bulwarks of defence, the family of Stuart might have been now in possession of the throne, and the right honourable gentleman had never had the opportunity of delivering those opinions in that house which they had that day heard. Although all cognizance of opinion might not be a warrantable ground for crimination, until the commission of some overt acts, yet he should ever contend, that an enquiry and test of a man's opinion, as the means of judging of his religious and constitutional principles, was highly expedient.

It had been exposed as extremely absurd, that a test of religious tenets should be imposed upon persons about to occupy the meanest civil offices, while there was no enquiry into the religious opinions even of the members of the legislature. The fact was otherwise. In the oath of abjuration, a religious test was imposed on the constitutional tenets of the legislative body. The oath against transubstantiation was purely religious, and the oath of allegiance was a civil and political test of loyalty and civil obedience. But to have no test of any kind was contrary

to the genius and spirit of monarchy; much more, then, must the obligation of test laws be necessary to a government like ours, where the monarchy is limited. The executive power should be allowed undoubtedly the exercise of a right of discrimination into the fitness of individuals to occupy stations of trust, for which that branch of the government was always responsible. The benefit of the general community required the establishment of public offices; and, as a distinction in their distribution was highly conducive to the same important service, the idea of right to civil offices, then, was highly absurd and ridiculous: there could be no foundation for such extraordinary claim, unless it were agreed that the offices in question were created more for the advantage of those who occupied them, than as a trust for the benefit of the public; and that their salaries were to be defrayed upon the principle of a lottery, rather than out of the public treasury. While our constitution, however, had invested the executive power with the appointment of offices, the legislature had made a wise application of a limited monarchy, by restricting the supreme magistrate in the disposal of these offices.

Suppose the case of a republic, the government of which was the purest democracy, the officers of state elective out of the general body, where the most perfect equality existed. Now, imagine any form of religion, or superstitious ceremony, to be entertained and professed by a small part of the people, whose tendency might be to destroy the democratic equality, and, consequently, the constitution itself: would not the majority, with a view to the preservation of this constitution, be warranted in the exclusion of such an obnoxious party from the right either of electing, or being elected, to fill offices of trust in the state? Most undoubtedly. It should then be recollected, that the test laws under discussion were enacted with a direct view to the defence and preservation of our excellent constitution. They were to be regarded as a species of jealousy of the monarch, which had never been considered as unconstitutional. They had a direct tendency to check the influence of the royal prero-

gative, which was a circumstance never very unpopular in a free state; and he hesitated not to say, if any distrust were to be entertained of either of the three branches of the constitution, it ought to be of the executive power. The test laws, by abridging the prerogatives of the crown, in preventing the sovereign from employing persons in offices of trust, who could not give a certain pledge or security of their attachment to the government, guarded against all danger or abuse from this branch of the legislature. The persons excluded by the test laws from civil offices lay under no kind of stigma, in his opinion, more than those who were necessarily kept out of that house, or from voting at an election, in consequence of their disqualification by statute from their elective rights. It was a common policy which obtained in private life, for no man to admit another to the management of his affairs, whose principles he did not approve; the same policy should prevail in states. The exclusion of the dissenters, therefore, from civil offices, from a disapprobation of their political sentiments, could be no usurpation in the government.

The merits or demerits of individuals ought, most undoubtedly, to have no weight or influence in the discussion of the present question. Yet the conduct of the dissenters seemed to him liable to just reprehension; for when they were reprobating the test laws, they were loud in their complaints, and were appealing to the legislature for redress of their grievances; even at that moment, they discovered intentions of forming associations throughout the whole country, for the sole purpose of putting the members of that house to a test; of whose fitness and competency to discharge their parliamentary duty they were to judge from their votes upon this single question. They had, indeed, explained themselves, that it was far from being their intention to put a test to any one; but even in their explanation a test was evidently implied. For in their resolutions, under the signature of Mr. Jefferies, it was expressly declared, that the dissenters meant to favour such members with their support, who should prove themselves friends to civil and religious liberty.

Their construction and application of such terms must be obvious to every understanding. No man, in their estimation, would be regarded as a friend to civil and religious liberty who did not vote for the repeal of the test laws.

Although the right honourable gentleman had well expatiated on the excellence of toleration, yet he was not certain that the description of men, whose cause he had so ably pleaded, would be eminently distinguished for their candour, moderation, and tolerance, should they succeed in their application. He owned he was not prepared to repose implicit confidence in any fair promises they should make, from the suspicious circumstance of their applying for a repeal of the test laws, when, at the same time, they were threatening the legislature itself with a test. No individual, therefore, as he had contended, could either have a right to occupy, or be eligible to occupy, any official situation under a government like ours, especially if such an appointment too was likely to be attended with any political inconvenience; for when such an inconvenience ever exists, the claim of right must be utterly unfounded. The claim of the dissenters, therefore, to be admitted to civil employments, upon the ground of right, equally with the members of the establishment, must of necessity fall to the ground. He had no idea of such leveling principles as those which warranted to all citizens an equality of rights; as if the whole property, under the control of government, were equally to be distributed among the public again. The appointment to offices rested with government, which no citizen could claim as a matter of right. The dissenters ought not to consider themselves, by the operation of the test laws, as debarred from any right to fill official situations under government, nor ought their exclusion to be regarded as any stigma upon them; since the government, in concurrence with the majority, are of opinion that none ought to be admitted to civil employments, except members of the establishment. To ascertain this important circumstance, without exacting either promise or obligation from any individual of the community, the test laws are enforced.

Having now, he hoped, sufficiently argued the question on the ground of right, he should proceed to discuss its merits on the ground of policy and expedience. The reasons for the adoption of the test laws, by the wisdom of our ancestors, had not, in his opinion, ceased. Political expedience prohibited their abolition. To elucidate this matter he would inquire: First, whether an establishment was not necessary, and materially connected with the state? Secondly, whether the dissenters are not likely to exercise power, should they once have it in possession? Thirdly, would not the repeal of the test laws indulge them with that power? Fourthly, whether the dissenters labour under any practical inconveniences from the operation of the test laws? Fifthly, whether a repeal of them could take place consistently with the safety of the established church?

The necessity of an establishment was generally admitted, he believed, in that house. The right honourable gentleman had declared it highly useful and advantageous: an argument from him, therefore, in support of this position, was unnecessary. A just panegyric had been pronounced from the same high authority, upon our present church establishment. It was said to be equally devoid of all unnecessary exterior ceremonies, as its interior rites were of superstition and enthusiasm. An argument to prove that the dissenters would exercise power when in possession of it, was also, in his opinion, useless; since the possession of power, it was well known, was always attended with a natural inclination to the exercise of it. Without intending to throw any stigma upon the dissenters, who were undoubtedly a respectable body, he did not hesitate, however, a moment in supposing it extremely probable that they might exercise their power to the subversion of the present establishment. Their conduct would not be reprehensible in acting from the principles they profess; for it became their duty as honest men, regarding as they do the established church as "sinful and bordering on idolatry," to act a conscientious and consistent part, by exercising every legal means in their power towards its subversion. To grant the dissenters such power, from a repeal of the test

laws, as might endanger the establishment, was highly impolitic. Such a national establishment of religion as ours, was capable of rendering essential services to the state; it was therefore entitled to the vigilant protection and support of the state in return. A national religion was calculated to meliorate the morals of the people, especially when its form was congenial to the civil constitution of the country.

He should not comment, he said, on the letters of bishops, nor on the sermons of dissenting ministers, as he perfectly agreed in opinion with the right honourable gentleman, that matters of state ought not to be blended with religious duty. Such discordant mixture had been always attended with great mischief. It was the duty of men of such character to confine themselves to the purposes for which their employments had been instituted; to cultivate peace and good order; to instil into the minds of the public a rational love of Christian morality; to exhibit in their practice exemplarity of conduct for piety and virtue; to have no other competition than that recommended by the gospel, namely, who shall most contribute to promote the great ends of religion and morality. From such a contention, the state must derive the most important advantages; it were a warfare truly worthy the sacred title of religion. If an ecclesiastical establishment was necessary for the good of the state, as fact and experience had proved in many instances, both before and since the revolution; and as the power to be derived to the dissenters, from a repeal of the test laws, might endanger the church, and hazard the safety of our civil constitution, policy demanded the prevention of all possible danger to the state, from the prudent interference of the legislature, in rejecting every application, however respectable, that might lead to such serious inconvenience. The essence of policy consisted in the general good of the public: where the rights and interests of individuals, therefore, came in competition with those of the public, policy claimed precedence even of justice. Admitting the dissenters to endure some small practical inconvenience from the test laws, yet, if the general good and the public safety demanded such sacri-

fices, as he must contend they did, their appeal to the legislature for redress, in the nature of justice, ought to be rejected.

But it had been contended, that no danger whatever could possibly arise to the constitution, either in church or state, from a simple repeal of the test laws, and that the dissenters would rest satisfied, and would trouble the legislature for no farther indulgence, provided their present application proved successful. He would assure the dissenters, that he would neither deny them any right that belonged to them, nor would he refuse them any regulation which did not seem attended with any dangerous consequences ; but as the object of their present application did, in his opinion, warrant a sufficient ground for apprehension and alarm, it was the duty of the house, as the faithful guardians of the constitution, to watch and repel the danger in due time. The dissenters had, the house would recollect, succeeded in their application about fourteen years ago, and obtained what had been considered as a completion of their toleration. It was then declared, both in and out of that house, that the dissenters intended to proceed no farther, if they only obtained the relief they then solicited ; and Dr. Kippis, a man of no inconsiderable rank and esteem amongst them, in his letter upon the subject, declared, that after obtaining the toleration in question, they would ask no more of the legislature, but would retire, grateful and content, to their books and closets, impressed with a becoming sense of the great indulgence with which they had been favoured.

He must differ from the right honourable gentleman in his opinion, that if the test laws were once repealed, the dissenters would be desirous of proceeding no farther. Many gentlemen among them, who stood foremost in the present application, did, by their declarations, contradict such an opinion ; they had openly avowed their disaffection to the constitution of the church ; and although they had declared they were perfectly satisfied with the indulgence granted them by the legislature, and should apply no more, yet they had violated their promise by the present application ; and from their professions, there was no judging with

what they would be satisfied. If the house should, in compliance with their wishes, consent to the repeal of the test laws, who could tell but their next application might be for an exemption from church dues? to which every argument advanced in support of the present question would equally apply. Now, an established religion had been admitted as necessary, useful, and advantageous to the civil government of a state; such an establishment ought, therefore, to be protected and supported by the government; and its expense should fall equally on all the members of the general community, in a certain proportion. A repeal, therefore, of the test laws could not, in his opinion, take place, consistently with the safety of the church, the security for the safety of which had not commenced at the revolution, as the right honourable gentleman had stated, but had been in existence long anterior to that date; and had there not existed such bulwarks of defence, previous to the revolution, that memorable event itself had never taken place. The continuation of the test laws was, then, highly expedient.

A reference had been made to the repeal of the test laws in Ireland, and no danger had ensued to the constitution. The situation of the Irish and English churches, he observed, were very materially different; the former found a security in the superior numbers of the catholics over the dissenters, which bore a proportion of six to one, and therefore needed not the same protection as the English church from the sanction of test laws: the repeal, too, having only recently taken place, we could not judge by experience of the consequences of its operation. The repeal of the test laws in Ireland was not, therefore, an instance in point, to warrant the adoption of such a measure in this country. The reference also to the kirk of Scotland having no test was equally inapplicable; as a test there would prove a very feeble barrier, since the majority of dissenters from the kirk conformed to the mode prescribed by law for the administration of the sacrament, and since the establishment of the presbytery had been sufficiently secured by a solemn pledge in the act of union. The allusion made to the French church, antecedent to the revo-

cation of the edict of Nantz, having no test laws for its protection, was also foreign to the present question. Had there prevailed less bigotry in those times, the church would have been secure, since the sovereign will of the monarch was the only law of the country. The right honourable gentleman's argument that no test laws existed in America, was as inapplicable as the other references and examples he had adduced in elucidation of his point. The American constitution resembled ours neither in church nor state; he most sincerely wished it had, in affording equal security for liberty and happiness to the subject. But in America there was no uniform established religion; no test laws were therefore necessary for the protection of such an establishment. Although the opinions of men were much divided at one time on the subject of the American dispute, while one party was contending that the revolting colonies ought to be coerced to obedience, and another was as strenuously insisting that they ought to be for ever abandoned, and the world in general was willing to believe that England could not exist independent of her colonies: yet the event, however, had happily proved the reverse of these different opinions; for, in the loss of the territorial government of the thirteen American colonies, Great Britain had sustained but a very inconsiderable diminution in her commerce; while she had to boast her deliverance and exemption from that load of expense which attended the support of the civil establishment of the states.

The test laws had been declared inefficacious and nugatory, as the legislature had been obliged every session to pass an act of indemnity. If the fact was so, the ground of all complaint of oppression must cease; for, from the right honourable gentleman's own argument, it was obvious that the laws were not enforced. Although the temperate forbearance of the government from the non-execution of the laws was truly laudable, when the danger was neither imminent nor alarming to the church, whose security and permanent safety was their object, yet, to repeal the laws in question, because their execution was not always necessary, would be impolitic in the extreme; as the legis-

lature, in thus suffering the remedy to such danger to depart from their hands, might not very easily be able to recover such salutary influence, as might stem the torrent of danger in the hour of pressing emergency. So far was he from agreeing with the right honourable gentleman, that no danger whatever was to be apprehended, that he could easily conceive a man, with all the abilities of the right honourable gentleman, but without the integrity of his principle, who, influenced by ambition and corrupt views, might exercise his powerful talents in rousing the disaffected to an attack upon the church. Would there not, in that case, be real danger? Most certainly. To guard against danger to the constitution, however distant, was the indispensable duty of every member of that house, but of none more than of a person in the situation he had the honour to hold, with whom the safety of his country ought ever to be his principal object. He must, therefore, give his decided negative to the motion.

The motion was negatived;

Ayes 105

Noes 294

END OF THE FIRST VOLUME.

the first part of the century, the country was in a state of anarchy and confusion. The people were divided into many small tribes, each of which was engaged in a constant struggle for power and territory. The result was a general state of lawlessness and violence, which made it impossible for any one man to rule over the country. The people were therefore in a state of perpetual war, and the country was a scene of desolation and misery. It was not until the middle of the century that a more settled state of affairs began to prevail. A few powerful chiefs arose, who were able to bring some order and unity to the country. They were able to subdue the smaller tribes, and to establish a more permanent government. The result was a more peaceful and prosperous state of affairs, which laid the foundation for the future greatness of the country.

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